

Senate numbered 2, and agree to the same with an amendment as follows: After the word "or" of said amendment insert the word "of;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows:

After the word "and," in the second line of said amendment, insert the following: "by and with the advice and consent of the Senate;" and after the word "brigadier-general," in line 3 of said amendment, insert the following:

"And when the next vacancy occurs in the office of brigadier-general of the line, it shall not be filled, and thereafter the number of brigadier-generals of the line, exclusive of the Chief of Artillery, shall not exceed 14;" and the Senate agree to the same.

F. M. COCKRELL,  
J. V. QUARLES,  
J. B. FORAKER,  
*Managers on the part of the Senate.*  
J. A. T. HULL,  
RICHARD WAYNE PARKER,  
WM. SULZER,  
*Managers on the part of the House.*

Mr. SPOONER. What is the language employed there as to the Secretary of War in the part we amended the other day?

Mr. COCKRELL. The way it reads now is:

That the chief of staff under the direction of the President or of the Secretary of War under the direction of the President.

The PRESIDENT pro tempore. The question is on agreeing to the conference report.

The report was agreed to.

#### EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After seven minutes spent in executive session the doors were reopened, and (at 5 o'clock and 27 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, February 11, 1903, at 12 o'clock meridian.

#### NOMINATIONS.

*Executive nominations received by the Senate February 10, 1903.*

##### CONSUL.

Richard M. Bartleman, of Massachusetts, now consul at Valencia, Spain, to be consul of the United States at Cadiz, Spain, vice John Howell Carroll, deceased.

##### AUDITOR FOR THE ISLAND OF PORTO RICO.

Regis H. Post, of New York, to be auditor of the island of Porto Rico, to succeed John R. Garrison, whose resignation has been accepted to take effect on April 30, 1903.

##### PROMOTION IN THE NAVY.

Lieut. Commander William P. Randall, United States Navy (retired), to be a commander in the Navy, on the retired list, from February 5, 1903, in accordance with the provisions of an act of Congress approved February 5, 1903.

##### PROMOTIONS IN THE ARMY.

###### *Infantry Arm.*

Maj. William B. Wheeler, Eighteenth Infantry, to be lieutenant-colonel, February 4, 1903, vice Hoyt, Tenth Infantry, detailed as assistant adjutant-general.

Capt. Henry Kirby, Tenth Infantry, to be major, February 4, 1903, vice Wheeler, Eighteenth Infantry, promoted.

##### APPOINTMENTS IN THE ARMY.

###### GENERAL OFFICERS.

###### *To be brigadier-generals.*

Col. Joseph P. Farley, Ordnance Department, vice Davis, to be retired from active service.

Col. Morris C. Foote, Twenty-eighth Infantry, vice Farley, to be retired from active service.

Lieut. Col. George W. Baird, deputy paymaster-general, vice Foote, to be retired from active service.

Col. Samuel M. Mansfield, Corps of Engineers, vice Baird, to be retired from active service.

Col. Tully McCrea, Artillery Corps, vice Mansfield, to be retired from active service.

Col. Eli L. Huggins, Second Cavalry, vice McCrea, to be retired from active service.

Col. Greenleaf A. Goodale, Seventeenth Infantry, vice Huggins, to be retired from active service.

Col. John V. Furey, assistant quartermaster-general, vice Goodale, to be retired from active service.

Col. Francis Moore, Eleventh Cavalry, vice Furey, to be retired from active service.

## HOUSE OF REPRESENTATIVES.

TUESDAY, February 10, 1903.

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

#### THE RECORD.

Mr. STEELE. Mr. Speaker, I call attention to a special order adopted on the 5th of February, wherein leave to print was given in the following words:

And that all members have leave for five days to print on the subjects of either of the bills referred to in this order.

Now, sir, on page 2006 of to-day's RECORD there begins a matter—I suppose it is called a speech—which amounts to vituperation and vilification of a successful candidate for membership of this House, and not one single word in the whole speech is directed to the subject in accordance with the order.

Now, to save what is in that speech, or any part of it, from going into the permanent RECORD, I ask unanimous consent that the whole speech, beginning on page 2006 and ending on page 2012, be stricken from the RECORD.

The SPEAKER. The gentleman from Indiana [Mr. STEELE] asks unanimous consent to strike from the RECORD of the proceedings of February 9 the speech of Hon. JOSEPH A. CONRY—

Mr. STEELE. I did not mention the gentleman's name.

The SPEAKER. But that statement will be necessary in order to make clear the motion of the gentleman from Indiana. The gentleman from Indiana asks unanimous consent to strike from the RECORD of the proceedings of February 9 the speech of Hon. JOSEPH A. CONRY as having been made in violation of the order of the House. Is there objection?

Mr. THAYER. Mr. Speaker, my colleague [Mr. CONRY] is not here this morning. I do not rise for the purpose of objecting to the motion of the gentleman from Indiana further than to suggest that it be made when my colleague can be present and can make his own statement with reference to the matter. I am as much surprised at the speech as anybody—

The SPEAKER. Without objection, this matter will go over to another day.

Mr. WILLIAMS of Mississippi. As the gentleman from Massachusetts [Mr. CONRY] is not here, I object to the motion of the gentleman from Indiana, in order that the matter may go over until the gentleman from Massachusetts is present.

The SPEAKER. Without losing its place—this is a matter of privilege—it will, if there be no objection, go over until a subsequent day. The Chair hears no objection.

#### APPOINTMENT OF A CONFEREE.

The SPEAKER. The Chair lays before the House a telegram, which will be read.

The Clerk read as follows:

NEW ORLEANS, LA., February 9, 1903.

HON. ROBERT C. DAVEY,  
Washington, D. C.:

Account serious illness my brother am detained here. Please ask leave absence for me.

ADOLPH MEYER.

The SPEAKER. Leave of absence was granted last evening to the gentleman from Louisiana [Mr. MEYER]. The absence of that gentleman causes a vacancy upon the conference committee on what are called the "terminal matters," and hence it is necessary that the Chair appoint another conferee. The next gentleman to the gentleman from Louisiana upon the committee is the gentleman from South Carolina [Mr. LATIMER], whom the Chair designates as a conferee in the place of the gentleman from Louisiana.

#### RECEIPTS AND EXPENDITURES OF LOUISIANA PURCHASE EXPOSITION COMPANY.

The SPEAKER laid before the House the following message from the President of the United States; which was read, and, with the accompanying documents, referred to the Committee on Industrial Arts and Expositions, and ordered to be printed:

*To the Senate and House of Representatives:*

I transmit herewith a report from the Secretary of State, covering a statement showing the receipts and disbursements of the Louisiana Purchase Exposition Company for the month of December, 1902, furnished by the Louisiana Purchase Exposition Commission, in pursuance of section 11 of the "Act to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana Territory," etc., approved March 3, 1901.

THEODORE ROOSEVELT.

WHITE HOUSE, February 9, 1903.

#### DEATH OF HON. THOMAS H. TONGUE.

Mr. MOODY. Mr. Speaker, I desire to ask the House to fix a time for memorial addresses upon the life, character, and services of Hon. THOMAS H. TONGUE, deceased, late a member of this body. For that purpose I ask unanimous consent for the present consideration of the resolution which I send to the desk.

The Clerk read as follows:

*Resolved*, That the House meet on Sunday, the 22d day of February, at 12 o'clock noon, for eulogies upon the life, character, and services of the Hon. THOMAS H. TONGUE, deceased, late a member of this House from the First Congressional district of Oregon.

There being no objection, the House proceeded to the consideration of the resolution; which was adopted.

CHARLES F. WOODFORD.

The SPEAKER laid before the House, with an amendment of the Senate, the bill (H. R. 8663) to remove the charge of desertion from the military record of Charles F. Woodford and grant him an honorable discharge.

The amendment of the Senate was read.

Mr. PAYNE. I move that the House concur in the Senate amendment.

The motion was agreed to.

LEVI L. REED.

The SPEAKER also laid before the House, with an amendment of the Senate, the bill (H. R. 10095) for the relief of Levi L. Reed. The amendment of the Senate was read.

Mr. GREEN of Pennsylvania. I move that the amendment of the Senate be concurred in.

The motion was agreed to.

ELISE SIGEL.

The SPEAKER also laid before the House, with an amendment of the Senate, the bill (H. R. 15659) granting a pension to Elise Sigel.

The amendment of the Senate was read.

Mr. SULLOWAY. I move that the House nonconcur in this amendment, and ask for a conference with the Senate.

The motion was agreed to.

The SPEAKER announced the appointment of Mr. APLIN, Mr. HOLLIDAY, and Mr. NORTON as conferees on the part of the House.

#### AMENDMENT OF REVISED STATUTES.

The SPEAKER also laid before the House, with amendments of the Senate, the bill (H. R. 7659) to amend section 1 of an act entitled "An act to amend sections 5191 and 5192 of the Revised Statutes of the United States, and for other purposes."

The amendments of the Senate were read.

Mr. FOWLER. I move that the House nonconcur in the amendments of the Senate, and ask a conference.

The motion was agreed to.

The SPEAKER announced the appointment of Mr. FOWLER, Mr. HILL, and Mr. TALBERT as conferees on the part of the House.

GEORGE N. MCMURRAY.

The SPEAKER also laid before the House the bill (H. R. 15911) granting an increase of pension to George N. McMurray, with a Senate amendment, which was read.

Mr. SULLOWAY. Mr. Speaker, I move that the House concur in the Senate amendment.

The SPEAKER. The question is on the motion of the gentleman from New Hampshire that the House concur in the Senate amendment.

The motion was agreed to.

AURELIA M. POWER.

The SPEAKER also laid before the House the bill (H. R. 7110) granting an increase of pension to Aurelia M. Power, with a Senate amendment, which was read.

Mr. SULLOWAY. Mr. Speaker, I move to concur in the Senate amendment.

The motion was agreed to.

ADA S. KAEMPFER.

The SPEAKER also laid before the House the bill (H. R. 10672) granting an increase of pension to Ada S. Kaempfer, with Senate amendments, which were read.

Mr. SULLOWAY. Mr. Speaker, I move concurrence in the Senate amendment.

The motion was agreed to.

AUSTIN A. VORE.

The SPEAKER also laid before the House the bill (H. R. 9107) granting a pension to Austin A. Vore, with a Senate amendment, which was read.

Mr. SULLOWAY. Mr. Speaker, I move concurrence in the Senate amendment.

The motion was agreed to.

BENJAMIN CONTAL.

The SPEAKER also laid before the House the bill (H. R. 5101) granting an increase of pension to Benjamin Contal, with a Senate amendment, which was read.

Mr. SULLOWAY. Mr. Speaker, I move concurrence in the Senate amendment.

The motion was agreed to.

GRACE A. NEGLEY.

The SPEAKER also laid before the House the bill (H. R. 3504) granting an increase of pension to Grace A. Negley, with a Senate amendment, which was read.

Mr. SULLOWAY. Mr. Speaker, I move concurrence in the Senate amendment.

The motion was agreed to.

#### OPENING OF LANDS IN OKLAHOMA TERRITORY.

Mr. BURKE of South Dakota. Mr. Speaker, I ask unanimous consent for leave to file the views of the minority on the bill (H. R. 16280) to open for settlement 505,000 acres of land in the Kiowa, Comanche, and Apache Indian reservations, in Oklahoma Territory.

The SPEAKER. The gentleman from South Dakota asks unanimous consent that the minority may file views on the bill H. R. 16280, the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 16280) to open for settlement 505,000 acres of land in the Kiowa, Comanche, and Apache Indian reservations, in Oklahoma Territory.

The SPEAKER. Without objection, this request will be granted. [After a pause.] The chair hears none, and it is so ordered.

#### REGULATION OF COMMERCE BETWEEN STATES AND FOREIGN COUNTRIES.

Mr. THOMAS of Iowa. Mr. Speaker, I ask unanimous consent for reprint of the report, No. 3377, of the following bill.

The SPEAKER. The gentleman from Iowa asks unanimous consent for a reprint of the report of the bill, the title of which the Clerk will report.

The Clerk read as follows:

House bill 15331, to amend an act to limit the effect of regulations of commerce between the several States and with foreign countries in certain cases, approved August 8, 1890.

The SPEAKER. Without objection, this request will be granted.

Mr. THOMAS of Iowa. Mr. Speaker, I ask that 10,000 copies be printed, 5,000 for the use of the Judiciary Committee and 5,000 for the use of the House.

The SPEAKER. The gentleman makes the additional request that the reprint consist of 10,000 copies of this report, 5,000 for the House, and 5,000 for the Judiciary Committee. Is there objection?

Mr. HEATWOLE. Mr. Speaker, reserving the right to object, I would like to ask the gentleman what this bill is?

Mr. SULZER. Mr. Speaker, what is the title of the bill?

Mr. THOMAS of Iowa. Mr. Speaker, I would ask that the title of the bill be again reported to the House.

The SPEAKER. If there is no objection, the Clerk will again report the title of the bill.

The Clerk again reported the title of the bill.

Mr. PAYNE. Mr. Speaker, I would ask whether it is the bill or the report that the gentleman desires to have reprinted.

The SPEAKER. The request is that there be a reprint of the report. Is there objection?

Mr. RICHARDSON of Tennessee. Mr. Speaker, I desire to say to the gentleman that if this printing costs more than \$500, it can not be ordered by the House by simple resolution.

Mr. THOMAS of Iowa. There are only two pages of the report.

Mr. RICHARDSON of Tennessee. If there are 10,000 copies to be printed it may cost more than that.

Mr. THOMAS of Iowa. There are only two pages to the report.

Mr. RICHARDSON of Tennessee. I have no objection to it.

Mr. STEELE. I should just like to ask the gentleman if he does not think he ought to have 8,000 copies for the use of the committee and only 2,000 for the House?

Mr. THOMAS of Iowa. No; I think not.

Mr. STEELE. Just so you can get along. [Laughter.]

The SPEAKER. Is there objection?

There was no objection.

#### EULOGIES ON THE LATE REPRESENTATIVE RUMPLE.

Mr. LACEY. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman from Iowa asks unanimous consent for the present consideration of the resolution, which will be reported by the Clerk.

The Clerk read as follows:

*Resolved*, That when the House meets on Sunday, the 22d day of February, it shall consider appropriate resolutions and hear eulogies upon the life, public services, and character of the Hon. JOHN N. W. RUMPLE, deceased, late a member of the House of Representatives from the Second Congressional district of the State of Iowa.



The SPEAKER. Is there objection?  
There was no objection.  
The resolution was agreed to.

DEPARTMENT OF COMMERCE AND LABOR.

Mr. HEPBURN. Mr. Speaker, I desire to call up the conference report on the disagreeing votes of the two Houses on the Senate amendments to the bill H. R. 569. I ask unanimous consent that the reading of the report be dispensed with and that the statement be read.

The SPEAKER. The gentleman from Iowa calls up a privileged report. The Clerk will report the title of the bill upon which this report is made.

The Clerk read as follows:

A bill (S. 569) to establish the department of commerce and labor.

The SPEAKER. The gentleman asks unanimous consent to omit the reading of the report, and that the statement only be read. If there is no objection this course will be pursued. The Clerk will read the statement.

The Clerk read the statement.

[For text of the conference report and statement see record of the House proceedings of February 9, 1903.]

Mr. HEPBURN. I yield five minutes to my colleague on the committee, the gentleman from Alabama [Mr. RICHARDSON].

Mr. RICHARDSON of Alabama. First, Mr. Speaker, I should like to know whether the gentleman from Iowa will allow a separate vote on section 6, which is known as the Nelson substitute.

Mr. HEPBURN. I think it is impossible to do that. I have no power to do so.

Mr. RICHARDSON of Alabama. By unanimous consent will you allow it?

Mr. HEPBURN. Oh, I think not. I think it had better go in the usual course.

Mr. RICHARDSON of Alabama. Will you be willing, if the report of the conferees is voted down, to instruct the conferees to leave out section 6, which is the Nelson substitute?

Mr. HEPBURN. Oh, I do not care to make any contracts or agreements of that kind.

Mr. RICHARDSON of Tennessee. I suggest to my colleague that if we vote down the conference report, then it would be in order to instruct the conferees; but you would first have to vote down the conference report.

Mr. RICHARDSON of Alabama. I understand that to be the parliamentary rule, and I ask, further, of my distinguished friend from Iowa [Mr. HEPBURN] that he allow me more than five minutes for the discussion of that substitute.

Mr. HEPBURN. How much time does the gentleman want?

Mr. RICHARDSON of Alabama. Not an unreasonable time. I should like an hour.

Mr. HEPBURN. I do not think we ought to do that.

Mr. RICHARDSON of Alabama. We were in conference a week on this question, and I would like very much to have that time allowed me to express my views fairly of what is known as the Nelson substitute.

Mr. HEPBURN. I would not be inclined to extend the time so as to give the gentleman all of my time. That is all of the time I have. I want to reserve a few minutes.

Mr. RICHARDSON of Alabama. I hope the gentleman will not be so uncharitable as to limit me to only five minutes.

Mr. HEPBURN. Oh, no; I have no desire to do that. I will yield to the gentleman thirty minutes.

The SPEAKER. The gentleman from Alabama is recognized for thirty minutes.

Mr. RICHARDSON of Alabama. Mr. Speaker, I regret very much that I was unable to agree with the distinguished conferees with whom I have been associated, representing the majority of this House, the gentleman from Iowa [Mr. HEPBURN] and the gentleman from Illinois [Mr. MANN], on the measure known as the Nelson substitute; but after a conference extending over several days I found myself in a position of radical difference with those gentlemen upon the natural, fair, and just construction that I think this substitute justly bears. I shall not resort, Mr. Speaker, to strained construction to arrive at the true meaning of the substitute. It speaks for itself in its own words.

I take this occasion, Mr. Speaker, to say that I do not believe that any Democrat can sustain himself before the people in opposition to a measure that proposes to give any relief against the evils of trusts and monopolies simply because it has a Republican origin or comes to us with a Republican stamp and Republican approval. I go still further than that. I do not believe that any Republican can hereafter give a satisfactory explanation to the people as to why he supported a measure that on its face claims to regulate and control trusts and monopolies and suppress their evils, when in fact the measure does not regulate and does not control, but leaves the trusts to the enjoyment of all their lawless

powers and abundant opportunities to accumulate unparalleled wealth at the expense of the toiling masses of this country, as they have been doing with our people for years past.

I believe, Mr. Speaker, that the people of this country in all sections of the Union are sufficiently intelligent and sufficiently informed as to the workings, management, and effect of the evils of the trusts—and to know that they are not only a menace, but an actual injury to their interests—to place the responsibility where it properly belongs if we fail to grant the relief that they demand from the evils of these trusts. We may stand here on the floor of the House to our heart's content and applaud the fervid expressions on either side of the Chamber. The able and distinguished gentleman from Pennsylvania [Mr. DALZELL] may repeat, as he has heretofore stated on this floor, "To undertake to revise the tariff at this period of unparalleled prosperity would be the height of legislative madness." The distinguished gentleman from Pennsylvania [Mr. SIBLEY] only a few days since said in the presence of this House, in substance, that the Dingley schedules were so sacred and hallowed that they ought not to be touched by the hand of revision. He warned us to be careful, but he failed to suggest anything looking to the relief of the onerous burdens of the people.

These matters will all come before the people of this country very soon—to pass upon our honesty and sincerity and the opportunities we had to give relief, and whether we met or failed to come up to the full measure of our duties.

Now, Mr. Speaker, I dissent most earnestly and sincerely from this Nelson substitute. I believe it to be an ultra dilution of a homeopathic dose of so-called antitrust legislation. I believe it to be a travesty upon what its friends represent and claim to be its only virtue—publicity. Why do I say that? I am in no manner responsible for the studied efforts that you and I on both sides of this House fully understand are being made to make it appear that this Nelson substitute is hostile to the trusts, and especially to the Standard Oil Company. Gentlemen of this House will not be influenced by this consideration. They look at it for themselves. In my opinion, the trusts, the corporations, the combines, and all other monopolies of all characters and description have no reason to fear any harm from this Nelson substitute. I will now read section 6 in the House bill for which the Nelson amendment is a substitute, and will read also the Nelson substitute.

SEC. 6. That there shall be in the department of commerce and labor a bureau to be called the bureau of corporations, and the chief of said bureau shall be appointed by the President and shall receive a salary of \$4,000 per annum. There shall also be in said bureau such clerks and assistants as may from time to time be authorized by law. It shall be the province and duty of said bureau, under the direction of the secretary of commerce and labor, to gather, compile, publish, and supply useful information concerning such corporations doing business within the limits of the United States as shall engage in interstate commerce or in commerce between the United States and any foreign country, and to attend to such other duties as may be hereafter provided by law.

This is the Nelson substitute:

Strike out all of section 6 and insert in lieu thereof the following:

"SEC. 6. That there shall be in the department of commerce and labor a bureau to be called the bureau of corporations, and a commissioner of corporations, who shall be the head of said bureau, to be appointed by the President, who shall receive a salary of \$5,000 per annum. There shall also be in said bureau a deputy commissioner, who shall receive a salary of \$3,500 per annum and who shall in the absence of the commissioner act as and perform the duties of the commissioner of corporations, and who shall also perform such other duties as may be assigned to him by the secretary of commerce and labor or by the said commissioner. There shall also be in the said bureau a chief clerk and such special agents, clerks, and other employees as may be authorized by law.

"The said commissioner shall have power and authority to make, under the direction and control of the secretary of commerce and labor, diligent investigation into the organization, conduct, and management of the business of any corporation, joint-stock company, or corporate combination engaged in commerce among the several States and with foreign nations, excepting common carriers subject to 'An act to regulate commerce,' approved February 4, 1887, and to gather such information and data as will enable the President of the United States to make recommendations to Congress for legislation for the regulation of such commerce, and to report such data to the President from time to time as he shall require; and the information so obtained, or as much thereof as the President may direct, shall be made public.

"In order to accomplish the purposes declared in the foregoing part of this section, the said commissioner shall have and exercise the same power and authority in respect to corporations, joint-stock companies, and combinations subject to the provisions hereof as is conferred on the Interstate Commerce Commission in said 'act to regulate commerce' and the amendments thereto in respect to common carriers so far as the same may be applicable, including the right to subpoena and compel the attendance and testimony of witnesses and the production of documentary evidence and to administer oaths. All the requirements, obligations, liabilities, and immunities imposed or conferred by said 'act to regulate commerce,' and by 'an act in relation to testimony before the Interstate Commerce Commission,' etc., approved February 11, 1893, supplemental to said 'act to regulate commerce,' shall also apply to all persons who may be subpoenaed to testify as witnesses or to produce documentary evidence in pursuance of the authority conferred by this section.

"It shall also be the province and duty of said bureau, under the direction of the secretary of commerce and labor, to gather, compile, publish, and supply useful information concerning corporations doing business within the limits of the United States as shall engage in interstate commerce or in commerce between the United States and any foreign country, including corporations engaged in insurance, and to attend to such other duties as may be hereafter provided by law."

There can be no question that this section 6, that the Nelson bill is a substitute for, provides for publicity. Does the substitute provide for publicity? Let us analyze it from a standpoint of plain common sense. It is before you, and you have read it. No law has ever been enacted yet that has not an aim and an end in it. What is this? I propound it to both sides of this House. The purpose and object of this measure or of this substitute is to enable the President of the United States to do what? To take, under the supervision of the secretary of commerce and labor, action against the trusts? No. It is to provide a way to gather such information and data as will enable the President of the United States to make recommendations to Congress for legislation. I say that this substitute has the same characteristic that the chased and pursued fawn instinctively possesses that is being hotly chased by the hunter. After being pursued through circuitous route, through the woods, over the hills, and through the valleys, it returns at evening to the place where it started. When all the conditions precedent are complied with and the President sees proper, he will, in the sweet by and by, ask Congress for legislation to regulate commerce trusts. We are to pass the Nelson substitute, and when the President gathers up the data, under the qualifications and limitations that I have explained, he is to come back to Congress and ask for additional legislation.

I say, Mr. Speaker, that condition is directly antagonistic and contrary to every declaration that has been made, and the threats that we have been regaled with in the morning papers at the breakfast table—at the dinner table—that if some legislation is not enacted by this Congress, the present Congress, that will enable us really to regulate the trusts and subordinate them to the laws of the country that an extra session of Congress will be held.

Now, Mr. Speaker—

The said commissioner shall have power and authority to make, under the direction and control of the secretary of commerce and labor, diligent investigation into the organization, conduct, and management of the business of any corporation, joint stock company, or corporate combination.

For what?

So as to enable the President of the United States to make recommendations to Congress for legislation.

Why not enact that legislation to-day? The country knows the conditions. Congress should act at this session. Why delay? What reason and occasion is there for us to ask the President of the United States to secure data about the great steel trust. Suppose he should find out in his investigation that the products now made and controlled by the steel trust are sold cheaper in Europe than they are to our home folks. If he should ascertain the fact that the steel trust last year exported fully ninety-three millions of their products to foreign countries, and, after paying expenses of transportation, sold these products cheaper to foreigners than to our own people, that would be no news, no startling intelligence. If he should further get data showing that in March of last year the beef trust sent abroad nearly \$9,000,000 worth of American meats, and yet beef in April following sold at 14 cents a pound in London and brought 24 cents per pound in New York City, do we not all know that now? It is shown by current price lists. Why go to the superfluous and the meaningless task and delay of requiring the data about that which shows as plain as the sun above our heads? We know, and the country knows, the vast difference in the price in foreign markets and the price at home of plows, cultivators, wire nails, and other necessities of life.

I say that this measure, with all due regard for the honesty, ingenuity, and ability of the conferees who framed and ratified it, is entitled to be characterized as a pretext and subterfuge; and if I do not characterize it as that, I will say, at least, that in my humble opinion it is but an echo and expression of the opinion of that great Republican who has announced the Republican policy relative to all antitrust legislation to be "stand pat," do nothing. This substitute comes up to the full measure of that policy. In that connection I beg leave to read a statement, and I consider it as a semiofficial Administration statement. It comes from the Evening Star, and it is about this Nelson substitute.

#### PUBLICITY FOR THE TRUSTS.

However, the chief interest in the action of the Commerce Committee is in the adoption of a sort of publicity feature for all corporations except railroads. The opinion prevails that if this amendment becomes law it will constitute about all the antitrust legislation which can be expected at this session of Congress, besides the paragraph in the legislative, executive, and judicial bill. The text of the section as perfected by the committee is as follows:

You will note the Star says significantly and somewhat authoritatively, "It will constitute about all the antitrust legislation which can be expected at this Congress," etc.

A "sort" of publicity! What does "sort" mean in the English language? Why, it means a "feint," it means a pretense, it means a stagger at something that you say you are going to do, but do not intend to do. It implies under the most charitable construction a doubt as to whether the thing claimed is there. All on

earth that the friends claim for this substitute is a "sort" of publicity. It provides for no penalties.

Now, Mr. Speaker, let us go a little further in a fair and just analysis. I was glad, a few days since, when I saw a solid vote, a remarkable spectacle in the House of Representatives of the United States. The House—Republicans and Democrats—gave a solid vote for a real, genuine antitrust act—the Littlefield bill. I was glad that a united and solid Democratic vote stood for that measure, because it relieves us forever of the false and groundless charge that we are here simply as a party of objection, a party of obstruction. We have come and joined hands with the Republicans, who, after months of labor and toil and after many consultations of their ablest statesmen, reported the Littlefield bill, and said to them, we join you in this measure to relieve our country of the evils of the trust. It is true that the bill did not fully meet the requirements and demands of our side of the House, but it was a long step in the right direction.

Take this Nelson substitute and compare it in the matter of publicity with the first section of the Littlefield bill, which reads as follows:

That every corporation which may be hereafter organized shall, at the time of engaging in interstate or foreign commerce, file the return herein-after provided for, and every corporation, whenever organized, and engaged in interstate or foreign commerce shall file a return with the Interstate Commerce Commission for the year ending December 31, whenever, and at such time, as requested by said Commission, stating its name, date of organization, where and when organized, giving statutes under which it is organized, and all amendments thereof; if consolidated, naming constituent companies and where and when organized, with the same information as to such constituent companies, so far as applicable, as is herein required of such corporation; if reorganized, name of original corporation or corporations, with full reference to laws under which all the reorganizations have taken place, with the same information as to all prior companies in the chain of reorganization, so far as applicable, as is herein required of such corporation; amount of bonds issued and outstanding; amount of authorized capital stock, shares into which it is divided, par value, whether common or preferred, and distinction between each; amount issued and outstanding; amount paid in; how much, if any, paid in cash, and how much, if any, in property; if any part in property, describing in detail the kind, character, and location, with its cash market value at the time it was received in payment, giving the elements upon which said market value is based, and especially whether in whole or in part upon the capitalization of earnings, earning capacity, or economies, with the date and the cash price paid therefor at its last sale; the name and address of each officer, managing agent, and director; a true and correct copy of its articles of incorporation; a full, true, and correct copy of any and all rules, regulations, and by-laws adopted for the management and control of its business and the direction of its officers, managing agents, and directors. Nothing herein contained shall be construed as relieving any corporation from making, in addition to the foregoing, such returns as are now required by the "Act to regulate commerce," approved February 4, 1887, and all amendments thereof; but the provisions of this act, as to signing and making oath to returns and making answers on oath to written inquiries, shall be applicable to returns and such answers made under said act and amendments thereof.

So far as any return may be a duplicate of one already filed, that fact may be stated, and the details, which are in such case duplicates, need not be repeated. Upon its being made to appear to the satisfaction of the Commission that without fault on its part it is impracticable for such corporation to furnish any of the items aforesaid, it may, by a written order of said Commission, be excused from furnishing such item or items.

Said Commission shall cause to be prepared a blank return for the use of such corporations, containing the foregoing requirements, and shall make such rules and regulations as may, in its judgment, be necessary to carry out the purposes of this act. The President, treasurer, and a majority of the directors of such corporation shall make oath in writing on said return that said return is true. The treasurer, or other officer of such corporation having the requisite knowledge, shall answer on oath all inquiries that may be made in writing on the direction of said Commission in relation to said return. Any corporation failing to make such return, or whose treasurer or other officer shall fail to make the answers aforesaid, may be restrained, on the suit of the United States, from engaging in interstate commerce until such return is made. Suit may be brought in any district of the United States at the election of the Attorney-General.

I ask the members of this House and the country to compare this diluted dose of antitrust legislation with sections 5, 6, 7, and 11 of the Littlefield bill which has some gist in it. The comparison exposes what this substitute is. It pales into absolute insignificance. Compare it with the eleventh section of the Littlefield bill which gives any injured citizen, regardless of the President of the country or anyone else, the right to go into the courts and complain of the workings of these trusts. These sections are as follows:

SEC. 5. That any person, carrier, lessee, trustee, receiver, officer, agent, or representative of a carrier, subject to the act to regulate commerce, who, or which, shall offer, grant give, solicit, accept, or receive any rebate, concession, facilities, or service, in respect to the transportation of any property, in interstate or foreign commerce, by any common carrier subject to said act, whereby any such property shall, by any device whatever, be transported at a less rate than that named in the tariffs published and filed by such carrier, as is required by said act to regulate commerce, or shall receive any advantage by way of facilities or service, shall be deemed guilty of a misdemeanor, and shall upon conviction thereof be subject to a fine of not less than \$1,000.

SEC. 6. That no corporation engaged in the production, manufacture, or sale of any article of commerce, violating any of the provisions of section 5 of this act, or attempting to monopolize or control the production, manufacture, or sale thereof, in any particular locality, by discrimination in prices, or by giving special privileges or rebates or otherwise, in order to destroy competition therein, in such locality, shall use, either directly or indirectly, any of the facilities or instrumentalities of interstate commerce, or in any way engage in interstate commerce, for the purpose of aiding or facilitating, either directly or indirectly, such production, manufacture, or sale, with such intent; nor shall any other person or corporation use any of the facilities or instrumentalities of interstate commerce, or in any way engage in



interstate commerce, in buying, selling, or disposing of any such article of commerce, for the purpose of enabling such first-mentioned corporation to engage or to continue to engage in such production, manufacture, sale, or control, with such intent. Every corporation or person violating the provisions of this section shall be punished, on conviction, by a fine of not less than \$500 and not exceeding \$5,000.

SEC. 7. That any common carrier, lessee, trustee, receiver, or transportation company, engaged in interstate commerce, now subject to the provisions of said act to regulate commerce, knowingly transporting any property produced, manufactured, or sold in violation of the provisions of this act, or in violation of the provisions of "An act to protect trade and commerce against unlawful restraints and monopolies," approved July 2, 1890, in interstate commerce, shall be subject to a penalty of not less than \$1,000, to be recovered by the United States, in any court of the United States having jurisdiction thereof, which suit may be brought in any district in which such common carrier, lessee, trustee, or receiver, or transportation company has an office or conducts business.

SEC. 8. That all prosecutions, hearings, and proceedings under the provisions of this act, and under the provisions of "An act to protect trade and commerce against unlawful restraints and monopolies," approved July 2, 1890, whether civil or criminal, no person shall be excused from attending and testifying, or from producing books, papers, contracts, agreements, and documents before the courts of the United States, or the commissioners thereof, or the Interstate Commerce Commission, or in obedience to the subpoena of the same, on the ground, or for the reason, that the testimony or evidence, documentary or otherwise, required of him, may tend to criminate him, or subject him to a penalty or forfeiture; but no person shall be prosecuted or subjected to any penalty or forfeiture for, or on account of, any transaction, matter, or thing concerning which he may testify or produce evidence, documentary or otherwise, before said courts, commissioners, or Commission, or in obedience to the subpoena of either of them, in any such case or proceeding.

Testimony of witnesses under the provisions of the act to regulate interstate commerce and amendments thereof, and of this act, before said Commission, or any member thereof, shall be on oath, and either of the members of said Commission may administer oaths and affirmations and sign subpoenas.

SEC. 11. That any person or corporation injured in business or property, by any other person or corporation, by reason of anything forbidden or declared to be unlawful by this act, may sue therefor in any circuit court of the United States in the district in which the defendant or defendants reside or are found, without respect to the amount in controversy, and shall recover threefold the damages sustained and the costs of suit, including a reasonable attorney's fee.

Now, Mr. Speaker—

To gather such information and data as will enable the President of the United States to make recommendations to Congress for legislation for the regulation of such commerce and to report such data to the President when, from time to time, as he shall require—

and the information so obtained, or as much thereof as the President may direct, shall be made public. I ask most solemnly, if anything is really contemplated by this substitute, why not require the President to turn over his information to his Attorney-General and require him to act at once? The cloven foot shows itself here.

I appeal to the honest construction that any man will give to the ordinary English language—what does that mean? "As much thereof as the President may direct shall be made public." He can suppress all data, every scintilla of information. He can hold it secret and stand pat and say and do nothing, and no law can move him. Is that publicity? Do you propose to put into the hands of one man the autocratic power to pass on the question that involves the great interests and welfare of all the people? What wonderful power do you place in one man's hands. It can be used in a most dangerous manner. Suppose Carroll D. Wright, whose Department has been transferred to the department of commerce and labor, should appeal to the President for data concerning the cost of transportation and the cost of producing coal.

The Department of Labor has been transferred to the department of commerce and labor. It is under the supervision of the secretary of that department. It is a part and parcel of this great new department of commerce that is to be established. Yet, if Mr. Wright, the Commissioner of Labor, should seek such information upon the vital matter of the costs of the transportation of coal in order to compare it with cost of production, he would be told that he would have to look elsewhere for his information, because the Nelson substitute "excepts common carriers" from its provisions. Then, again, if Commissioner Wright went to work and undertook to get up data and information, the President could forbid the publication "of the information so obtained, or as much thereof as the President may direct," because the Nelson substitute in its relation to "An act to regulate commerce" is limited by the words "subject to the provisions hereof"—that is the Nelson measure.

The Labor Department has had the right to gather its own statistics. There it is subjected to the crucible of the will of the President. I say that autocratic power placed in the hands of one man is against the spirit and policy of our free American institutions. I say, Mr. Speaker, that is a power that ought to be put in the hands of no man under our republican form of government. How do you or I know who is to be President? It is frequently said to me, "The President is honest and sincere." I am far above making any criticism of him. How do you know, how do I know, that the present incumbent will be the next President of the United States? We are not legislating for any man. Suppose a great trust magnate were to be made Pres-

ident under the power of this law. What investigation could follow; what inquiries could be made? How helpless the country would be.

Why, Mr. Speaker, that latter clause, "or so much thereof as the President may direct shall be made public," is not publicity. Does any man contend that it is publicity? Section 6 in the department of commerce bill provides that these matters of information should be published without restraint. It reminds me of what is said down in my section when a man wants to make a thing absolutely secure and safe; he says it is equal to a "stake and rider fence." That is defined down in our country to be a fence, horse high, bull strong, and pig tight; you can not get over it, nor under it, nor around it, nor through it.

That last clause, "or so much thereof as the President may direct shall be made public," is a stake and rider legal barrier or fence. [Laughter.] Suppose a man goes there and wants to make a complaint before the President. It would simply be a physical impossibility for the President to hear all the complaints that would be made. Not only that, this Nelson substitute provides that the President shall suggest the data that the commissioner of the bureau of corporations is to collect, and for fear he might collect some data that ought not to go to the public, the measure, as a matter of precaution to prevent accidents, says that "so much thereof as the President sees proper shall be made public." I know that it is an ordinary provision to say that certain duties shall be under the control of the secretary of a department. For the Secretary of the Interior to supervise the Director of Census or the Secretary of Agriculture to supervise gathering of farm statistics is a harmless provision. That is right; but this authority put in the position it is here, making barriers, is a different proposition. What are the barriers to investigation? The secretary of the department of commerce and labor has first to have his say at it. Next, the President may tell him what data he must get. Next, when the President gets that data and information about these trusts in his hands, holding them in the hollow of his hand, it is for him to say whether he will publish them or not.

There never was, in my judgment, in the history of this great Government of ours such an autocratic power placed in the hands of one man, placed there on a subject that concerns the welfare and the interests of all the people of this country. It can be used as an engine of power. I do not mean to say that it would be used with reckless disregard of the rights of the people for and in behalf of the trusts. We all know that the President has repeatedly said that there are "good trusts and bad trusts." Who should be the judge on such a question? It should not be one man. It should be the law, under the rules and regulations prescribed for eliciting truth. This is a government of law. I have always believed that the least left to the discretion of a public official is the best law for the rights and interests of the people.

Why should the Littlefield bill be doomed to a languishing death in place of this Nelson substitute? That is the question that we have got to answer before the people. 'Tis said that it will surely die.

I will refrain, Mr. Speaker, from entering into a discussion of the tariff question. Gentlemen have heard enough of such discussion already. I want to read something that the distinguished Secretary of War, Mr. Root, said in a speech to the Union League at New York on the night of February 6. I read it, Mr. Speaker, with much concern. It bears its significance when it comes from such a source.

Secretary Root congratulated the veterans of the club upon having "woven a thread into fabric of the great life of this country."

"There are," he added, "many problems coming up to-day on which the safety of this Government depends. There are to-day situations of possible evils for our country that call for devoted patriotism. First, division between the rich and the poor under which wealth controls legislation and poverty is trying to stir up a war of classes, but every good citizen should declare that never in this free land shall we have a war of classes."

Ought not the great Secretary to have supplemented that statement by saying that in order to prevent this deplorable war of classes we should undertake by law to curb the greed of the trust? That is what brought about this condition; it is what is leading us to this prophesied war of classes. What has made the division between the rich and the poor—made it so marked in our country in the past few years? Wealth controls legislation, and it behooves the Congress of the United States to recognize these conditions. It becomes us, as men who love the institutions of our country, to see to it that the great power of wealth shall not be used against the interests of the masses. No man has the right to denounce or impair the right of every man to acquire honest wealth. It is what we all strive for. Let every man have an equal and fair chance in the race of life for the goods of this world. Let us stand to, rechristen, and rededicate the great fundamental principles of our republican form of government, "equal rights to all and special privileges to none."

Mr. THAYER. I should like to ask the gentleman a question

Mr. RICHARDSON of Alabama. I will yield to the gentleman.

Mr. THAYER. I am not entirely conversant with the provisions of the act creating the Interstate Commerce Commission. I notice that this bill in section 6 confers upon the bureau of corporations, that is to be created, the same authority which is conferred upon the Interstate Commerce Commission relative to common carriers. Now, my friend, in your opinion, if this bureau should be appointed, would it have authority to get the information which in our antitrust bill we have directed to be obtained? For instance, could it inquire of a corporation whether it had had any rebate, whether it had sold to one party at a lower price than to another, whether it had overcapitalized? Could the inquiries be made to reach any of those important matters?

Mr. RICHARDSON of Alabama. In answer to the gentleman from Massachusetts I will say that if he will read the Nelson substitute closely he will see that he says "subject to the provisions of this act," which, in my humble judgment, makes inapplicable the provisions for the investigation of these trusts as is provided by the act to regulate commerce, and is one of the chief barriers that will stand in the way to prevent such investigation. It was placed there, I think, just to accomplish that purpose.

Mr. MANN. I hope the gentleman does not really believe that.

Mr. RICHARDSON of Alabama. Yes, I believe it; and if you will give me the time I can demonstrate it. What power can the Interstate Commerce Commission have to secure these returns if we make that Commission subject to the provisions of the Nelson substitute. This provision is, in my judgment, a carefully worded, well-considered, artistically framed device for preventing the accomplishment of the very thing that the people of this country are demanding to-day—the control and regulation of the trust.

Mr. GAINES of Tennessee. Does the Nelson substitute apply to existing corporations?

Mr. RICHARDSON of Alabama. In regard to this Nelson substitute, let me say, as was said by the distinguished gentleman from Indiana [Mr. OVERSTREET] the other day, that to leave out the Interstate Commerce Commission from the department of commerce would be like playing the great Shakespearean play without the character of Hamlet. Yet this Nelson substitute, though pretending to regulate these trusts and combinations and organizing a bureau of corporations, leaves out the railroad corporations; it does not embrace them at all; and I say that a law which in thus undertaking to regulate corporations leaves out the railroads does not only enact the great play of Hamlet with the part of Hamlet omitted, but it puts upon the boards a roaring farce.

Mr. Speaker, I am not an extreme advocate of what is known as tariff revision. I would not of my own free will disturb, nor do I believe that my party would disturb, the interests or the business of our country in any improper way. The people of this country are conservative. They have felt the evils of the trust, and they expect and are entitled to relief. The law that we may make here ought to meet the demands to protect competition, which is the surest way and the strongest instrumentality for breaking down and preventing monopoly. It should not only do that, but it should reduce the tariff reasonably to a moderate revenue basis, and especially upon those products that are controlled by the trusts. It should protect the small industries and corporations of this country against unjust rivalry and competition. Those are plain principles. It should prevent unjust and unlawful capitalization. The law should provide for reasonable publicity—such publicity as would not stimulate or allow an inquisitorial investigation. We want reasonable, just laws that apply to all alike.

The SPEAKER pro tempore (Mr. DALZELL). The time of the gentleman from Alabama has expired.

Mr. RICHARDSON of Alabama. Mr. Speaker, I ask the gentleman from Iowa to allow me five minutes more.

Mr. HEPBURN. I yield to my colleague on the committee five minutes more.

Mr. RICHARDSON of Alabama. I am much obliged to the gentleman.

The SPEAKER pro tempore. The gentleman from Alabama is recognized for five minutes.

Mr. RICHARDSON of Alabama. I say, too, Mr. Speaker, that the conservative sentiment which I have just enunciated comes from Republicans—leading Republicans of this country—as well as from Democrats. I read the language of one such:

We Republicans of Iowa are all protectionists, but we insist that the tariff must be removed on articles in which monopoly has been established. We call upon Congress to place legislative obstacles in the way of the tendency of modern combinations to destroy competition. Competition is the fundamental law of industrialism, and we are not willing to have the tariff used in throttling or perpetuating it.

That comes from the distinguished governor of Iowa—Governor Cummins. It is a sentiment that pervades all sections of our country. We must have genuine work—no dodging behind the bush now.

I read again from the remarks of the distinguished Senator from Iowa [Mr. DOLLIVER]:

For years we have been telling the people that we would do something toward broadening trade by means of reciprocity treaties. We have had the power in all branches of the Government, but we have done nothing. The Republican party has got to stop a lot of its conversation or to take up these treaties and some of the tariff schedules and do something toward satisfying expectations. The Republican party on this question is like a ship with all sail set and anchor fast. It is time to take in sail or pull in the anchor.

In common parlance, that means "shoot, Luke, or give up the gun." You have been aiming at the trusts long enough; fire now or give the Democrats the gun. That is what it means for 1904, and if you adopt this homeopathic, diluted concoction for the Nelson substitute the sentiments of Senator DOLLIVER, uttered in his own State, will come back to annoy you and harass you. Now, Mr. Speaker, as I understand the parliamentary situation of this matter, it is that the conference report will have to be voted down in order to reach this subdivision 6. I know there is great difficulty in that. I know there are gentlemen on both sides of this House who are interested in the establishment of the department of commerce and labor which this bill proposes to establish. I have frankly given my views upon the Nelson substitute.

I do not believe that anything good for the people against the trusts can come out of it. I was anxious to have and requested a separate vote on this substitute. This was declined or refused. I think that there is nothing whatever in it to alarm the trusts, and I do not think they are alarmed. The Republican party is responsible. No one should be allowed hereafter to say to us that we obstructed or hindered any legislation that promised or claimed to check the trusts. In that spirit I shall vote for the conference report. Surely no man who is honest and sincere in advocating the broad, conservative, legal, and just principles enunciated in the Littlefield bill can say for a moment that this Nelson substitute ought in justice to take the place of such a bill. If the Littlefield bill fails, then the people will answer in 1904.

Mr. Speaker, I ask unanimous consent for leave to extend my remarks in the RECORD.

The SPEAKER pro tempore. The gentleman from Alabama asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. HEPBURN. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. BALL].

Mr. BALL of Texas. Mr. Speaker,

The four first acts already past,  
A fifth shall close the drama with the day:  
Time's rottenest offspring is the last.

First. In the closing hours of the Fifty-sixth Congress the Republican party presented, as a means to destroy the trusts, a constitutional amendment to confer added power upon Congress. The Democrats opposed that amendment, insisting that there was ample constitutional power in the Congress of the United States to destroy every trust in the Union. The Republicans have receded from the position which they took at that time, and the President and a Republican Attorney-General are now agreed that Congress has the necessary power.

Second. We had in the closing hours of that Congress what was known as the Littlefield bill, which was a measure calculated at least to seriously embarrass the trusts. That went through this House with a whoop and died, because there were but four days, as all the members of Congress knew, in which the Senate could consider it, and it had been held back for that purpose.

Third. We had heralded in the newspapers during the past summer the fact that the eminent gentleman from Maine [Mr. LITTLEFIELD] was preparing a "trust buster" under the auspices and direction of the President of the United States, who had promised "to shackle the cunning of the trusts." After consultation with the powers that be the gentleman from Maine brought in a bill, and it was submitted in this House, and in the language, forceful but true, of the gentleman from Illinois [Mr. CANNON], when the committee brought that bill back they had "cut the dog's tail off right behind the ears."

Fourth. We had the emasculated Littlefield bill, which was passed in this House a few days ago with apparent seriousness and good faith, voted for by every member upon both sides of the Chamber, although its authors knew and the members upon that side of the House knew that it was not the intention of the Republican party at this session or any future session of Congress that even as mild a bill as that should become law or to pass any effective trust legislation.

Fifth. Mr. Speaker, we have had trumpeted from the White House the fact that the Administration has changed its programme; that it is now anxious to get through what is known as the Nelson bill and the Elkins bill which passed the Senate of the United States without any discussion or consideration whatever; and the newspapers are pretending to say that the Standard Oil Company



is sending in telegrams and protests against the passage of these homeopathic doses to the trusts.

Mr. Speaker, I do not believe that John D. Rockefeller has sent any message to any Senator of the United States, or anybody else, in opposition to these measures, which are hardly equal to a dose of "soothing sirup," much less calculated to destroy the trusts. These bills are mere makeshifts, a hippodrome, to help get the Administration out of the hole into which its pretended trust-destroying efforts have placed it. If the President is sincere he is powerless, because he finds behind him a subservient Republican party which is not honest in its efforts to destroy the trusts. It is now the purpose of the Republican party to rush through the Nelson and Elkins bills to deceive the public and cover up the Administration's failure to get through legislation proposed by it and defeated by the trusts. Vote down this report, because if you adopt it, and then the Elkins bill, there will be a flourish of trumpets that, over the opposition of the Standard Oil and other trust concerns, the Administration has secured trust legislation.

There is nothing in this amendment of any value whatever. It creates a bureau of corporations at a considerable expense to gather information for the President, who makes public such as he sees proper. It is, in fact, no legislation whatever. When passed the suppression of trusts will be as far off as ever. Vote down the conference report and instruct the conferees to insist upon an amendment containing at least the publicity features of the House bill passed a few days ago, which is being smothered at the other end of the Capitol. In this way only will it be possible to have any legislation of value passed at this session of Congress. [Applause.]

Mr. HEPBURN. Mr. Speaker, I yield five or ten minutes to the gentleman from Illinois [Mr. MANN], if he desires the time.

The SPEAKER pro tempore. The gentleman from Illinois is recognized for ten minutes.

Mr. MANN. I shall not use all the time that is allotted to me, Mr. Speaker, principally because my physical condition is such that I am not able to speak without great effort. The purpose of the House in inserting in the bill the section for the bureau of corporations is most fully justified by the Nelson amendment, which we have before us in the conference report. I may say, in reply to the suggestions which have been made by the gentleman from Alabama [Mr. RICHARDSON] and the gentleman from Texas [Mr. BALL] in reference to the so-called Nelson substitute, that the statements made by them are not borne out by the wording of the substitute; and I say, Mr. Speaker, without question that the Nelson substitute confers a greater power upon the commissioner of corporations to make investigations of so-called trusts than has been proposed in any other bill or in any other proposition brought before Congress. The objection was made by one of the gentlemen interested in trust legislation that the Nelson amendment was too drastic, that it went too far.

Mr. Speaker, it confers upon the Executive an absolute power to make complete investigation in reference to all phases, all conditions, all control of any corporation engaged in interstate commerce which the Secretary may desire to have investigated. That information and that investigation are public. It is true that the Nelson amendment does not propose to punish violations of any law which we create. The Nelson amendment proposes investigation in order to obtain information. I am not surprised, Mr. Speaker, that the other side of this House, which has always talked for trust legislation, now when it comes to the point where we can actually enact legislation, draws back afraid to put upon the statute books any legislation upon the subject. So long, Mr. Speaker, as the House is engaged in passing a bill, the gentlemen on the other side urge it. While the Senate is engaged in passing another bill, the gentlemen on the other side urge it; but when it comes to having the House and the Senate join in passing the same bill and the question is presented to the gentlemen, they hesitate and gag.

Mr. THAYER. Mr. Speaker—

The SPEAKER pro tempore. Does the gentleman from Illinois yield to the gentleman from Massachusetts?

Mr. MANN. Yes.

Mr. THAYER. I should like to ask the gentleman the question that I asked the gentleman from Alabama. Do you believe that if this bill passes you could, under the provisions of section 6, compel any officer of any corporation to reveal what is demanded of him in the antitrust bill, namely, whether they are overcapitalized; rebates, whether they have paid or received any, and the manner of the conduct of their business?

Mr. MANN. Mr. Speaker, I have hardly any belief on that. It is so plain that I think I may say I know if Congress has the constitutional authority under any circumstances to ask these questions of a corporation, that authority is conferred to the fullest extent by this bill upon the commissioner of corporations, and all the power Congress can confer upon anyone to make

investigations of corporations is conferred upon the commissioner of corporations by the Nelson amendment.

Mr. THAYER. One question further.

Mr. MANN. Certainly.

Mr. THAYER. The only authority conferred in this bill is the authority that is conferred in the Interstate Commerce Commission in dealing with railroads and common carriers. Is there any provision in the statute to which this refers to compel a corporation to reveal the conditions I have stated?

Mr. MANN. Oh, well, the gentleman knows that the authority conferred upon the commissioner of corporations, in reference to these corporations, is that conferred upon the Interstate Commerce Commissioners now in reference to railway corporations. The authority is full and complete. The authority in the interstate-commerce act covers the question which the gentleman has asked about, and the authority conferred upon the Interstate Commerce Commissioners is absolutely as full as can be conferred by language.

Mr. THAYER. Why did they not put it in, then, in the same language as the language in the antitrust bill, so that something definite and substantial could be discerned?

Mr. MANN. Well, if the gentleman will notice, the antitrust bill refers to certain provisions in the act to regulate commerce. It never has been the custom of anybody to copy all of these provisions over again. The gentleman laughs and shakes his head. Perhaps he has not read the bill.

Mr. THAYER. Oh, yes, I have.

Mr. MANN. Perhaps the gentleman has not read the law. If he has read the law, then I suspect that he knows that the question he asks is answered completely by the law. The authority conferred upon the commissioner by the Nelson amendment is definite and certain. He will possess all the power which Congress has as to making investigations of corporations. The manner and method of exercising that power are now indicated by the interstate-commerce act. The language we have used is plain and unambiguous.

Mr. ROBINSON of Indiana. Mr. Speaker, may I not ask the gentleman in the interest of fairness to withdraw the statement he made against the Democratic side of the House upon this subject of trust legislation in view of the record of hypocrisy made by the other side in the Fifty-sixth Congress?

Mr. MANN. Well, Mr. Speaker, whenever I withdraw any statement made in reference to my friends on the other side on the basis of the truth of their claim of hypocrisy on this side I hope I may land in a lower and not an upper world. [Laughter.] We all have become used to the argument that is made by gentlemen on the other side, which simply is abuse. I never heard one of you make a speech upon the floor of this House in reference to trust legislation that did not denounce the Republicans as a band of robbers and thieves.

Mr. FLEMING. You have not been in your seat all the time, then.

Mr. MANN. I am glad to except the gentleman from Georgia, who is always fair and courteous in his language; and there are other exceptions, I am glad to say.

But your speakers usually say that the Republicans are a band of robbers and thieves. They say we act at the behest of the trusts. And yet I do not know a gentleman on that side of the aisle who believes it. There is no gentleman on that side who believes gentlemen on this side of the aisle are not actuated by purposes as honest, as noble, as truthful as theirs; and I would not claim that gentlemen on the Democratic side of the House are not earnest and sincere in their work against the trusts. They are now only seeking political capital. We are responsible for what we do; they are not held responsible for what they say. Mr. Speaker, I yield back the balance of my time to the gentleman from Iowa.

Mr. SMITH of Kentucky. May I ask the gentleman a question before he sits down?

Mr. MANN. Well, if it is a question in reference to the bill, I will take time to answer it; if it is a mere political question—

Mr. SMITH of Kentucky. I would like to know if the gentleman has ever seen me ask any other question since my service in this House?

Mr. MANN. I think that is true. The gentleman is sincere. Mr. SMITH of Kentucky. What I want to know is if the gentleman does not think it would have been better to have required the commissioner of corporations to lay his report before Congress rather than before the President; because it is not so important, as I view the matter, that the President should be enabled to make recommendations as that Congress should be enabled to enact some intelligent effective legislation.

Mr. MANN. I would call the gentleman's attention to the fact that the commissioner of corporations is under the department of commerce and labor, which has a secretary, and the secretary is required to make an annual report, which of course means that

the statement that the commissioner of corporations makes in his report to the secretary would be included as a part of his report.

Mr. SMITH of Kentucky. In that same connection I apprehend that this provision of the amendment which says it shall lie in the discretion of the President as to what shall be made public of these reports would preclude the commissioner from laying before Congress what the official report developed in his investigation.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MANN. I wish I had time; I think I could explain that to the gentleman's satisfaction.

Mr. HEPBURN. I yield four minutes to the gentleman from Georgia, a member of the committee.

Mr. ADAMSON. Mr. Speaker, I do not like to appear in antagonism to my distinguished friend on the committee, the gentleman from Alabama, who was one of the managers on the part of the House. However, I do not desire that any vote that I may cast shall be construed into an indication of lack of knowledge that the provision discussed by the gentleman from Alabama, known as the Nelson substitute, is a delusion and a snare, a hollow mockery, thinner than thin air, weaker than water, the meanest sham, the most contemptible fraud and false pretense, because it seeks to deceive constituents who send members here.

But we are put upon notice, at least by the newspapers, which everybody knows are always truthful, that this is the only anti-trust measure that the "trust busters" are going to permit to pass at all. I do not propose to go before the country in the attitude of opposing the only antitrust legislation that we are served with notice can be enacted. I shall not oppose the report of the managers on the part of the House on that account. I know the managers on the part of the House have been diligent and patient. I know something of the difficulties they encountered. I accept their report as the best that can be secured under the circumstances, and shall contribute with great pleasure to creating the department of commerce and labor by voting for the adoption of this report. [Applause.]

Mr. HEPBURN. Mr. Speaker, I move the adoption of the conference report, and on that demand the previous question.

Mr. BARTLETT. May I ask the gentleman one question before he demands the previous question?

The SPEAKER pro tempore. Does the gentleman yield?

Mr. HEPBURN. I yield for a question.

Mr. BARTLETT. I desire to ask the gentleman if this report—and I have read it very carefully—in reference to insurance companies does anything more than to authorize the Commissioner to gather statistics in reference to insurance companies?

Mr. HEPBURN. Nothing in the world, so far as I understand.

Mr. BARTLETT. Then there is nothing in this measure that contravenes the votes of the House on that subject.

Mr. HEPBURN. All I mean to say is this, that it simply authorizes information being secured. Now, Mr. Speaker, I demand the previous question.

Mr. RICHARDSON of Tennessee. Will the gentleman allow me to ask him a question? I do not want to debate.

Mr. HEPBURN. I prefer not to yield.

The SPEAKER pro tempore. The gentleman declines to yield.

Mr. RICHARDSON of Tennessee. Does the gentleman decline to yield for a question?

Mr. HEPBURN. Yes, sir.

The SPEAKER pro tempore. The gentleman from Iowa asks for the previous question on agreeing to the conference report.

The question was taken; and the previous question was ordered.

The SPEAKER pro tempore. The question is on agreeing to the conference report.

Mr. HEPBURN. On that question, Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 252, nays 10, answered "present" 4, not voting 85; as follows:

## YEAS—252.

Adams,	Bowersock,	Calderhead,	Currier,
Adamson,	Bowie,	Caldwell,	Curtis,
Alexander,	Brandeggee,	Candler,	Cushman,
Allen, Ky.	Brantley,	Cannon,	Dalzell,
Allen, Me.	Breazeale,	Capron,	Darragh,
Aplin,	Brick,	Cassel,	Davey, La.
Bankhead,	Bromwell,	Cassingham,	Davidson,
Barney,	Brown,	Clark,	Davis, Fla.
Bartholdt,	Brownlow,	Clayton,	Deemer,
Bartlett,	Brundidge,	Conner,	Dick,
Bates,	Burgess,	Coombs,	Dinsmore,
Beidler,	Burke, S. Dak.	Cooper, Tex.	Dougherty,
Bell,	Burkett,	Cooper, Wis.	Douglas,
Bellamy,	Burleigh,	Corliss,	Dovener,
Billmeyer,	Burleson,	Cowherd,	Draper,
Blakeney,	Burton,	Creamer,	Eddy,
Boreing,	Butler, Mo.	Cramer,	Emerson,
Boutell,	Butler, Pa.	Crumpacker,	Esch,

Evans,	Howard,	Moody,	Sims,
Feely,	Hughes,	Moon,	Skiles,
Finley,	Hull,	Morgan,	Sladen,
Fitzgerald,	Irwin,	Morris,	Smith, Ill.
Flanagan,	Jackson, Md.	Morris,	Smith, Iowa
Fletcher,	Jenkins,	Mudd,	Smith, Ky.
Flood,	Johnson,	Mutchler,	Smith, H. C.
Foerderer,	Jones, Wash.	Needham,	Snodgrass,
Fordney,	Joy,	Norton,	Snook,
Foster, Vt.	Kahn,	Olmsted,	Southard,
Fox,	Kehoe,	Otjen,	Sperry,
Gaines, Tenn.	Kern,	Overstreet,	Spight,
Gaines, W. Va.	Kleberg,	Padgett,	Stark,
Gardner, Mass.	Knapp,	Palmer,	Steele,
Gardner, Mich.	Kyle,	Parker,	Stephens, Tex.
Gardner, N. J.	Lacey,	Patterson, Pa.	Stevens, Minn.
Gibson,	Lamb,	Patterson, Tenn.	Stewart, N. J.
Gilbert,	Landis,	Payne,	Stewart, N. Y.
Gill,	Latimer,	Pearre,	Storm,
Gillett, Mass.	Lawrence,	Perkins,	Sulloway,
Glass,	Lessler,	Pou,	Sulzer,
Gooch,	Lever,	Powers, Me.	Talbert,
Gordon,	Lewis, Ga.	Powers, Mass.	Tate,
Graft,	Littauer,	Randall, Tex.	Tawney,
Graham,	Livingston,	Reeder,	Taylor, Ohio
Green, Pa.	Lloyd,	Reeves,	Taylor, Ala.
Greene, Mass.	Long,	Rhea,	Thayer,
Griffith,	Lovering,	Richardson, Ala.	Thomas, Iowa
Griggs,	McAndrews,	Richardson, Tenn.	Thompson,
Grosvenor,	McCleary,	Rixey,	Underwood,
Grow,	McCulloch,	Robb,	Van Voorhis,
Hamilton,	McDermott,	Roberts,	Wanger,
Hanbury,	McLachlan,	Robinson, Ind.	Warner,
Haugen,	McLain,	Rucker,	Warnock,
Heatwole,	McRae,	Russell,	Watson,
Hedge,	Maddox,	Ryan,	Weeks,
Hemenway,	Mahon,	Schirm,	Wheeler,
Henry, Conn.	Mann,	Scott,	White,
Henry, Miss.	Marshall,	Shallenberger,	Wiley,
Henry, Tex.	Martin,	Shattuc,	Williams, Ill.
Hepburn,	Metcalfe,	Shelden,	Williams, Miss.
Hildebrandt,	Mickey,	Sheppard,	Woods,
Hill,	Miller,	Sherman,	Wright,
Hitt,	Minor,	Showalter,	Young,
Hooker,	Mondell,	Sibley,	Zenor.

## NAYS—10.

Ball, Tex.	Lester,	Reid,	Vandiver.
De Armond,	Little,	Robertson, La.	
Fleming,	Littlefield,	Shackelford,	

## ANSWERED "PRESENT"—4.

Dayton,	Haskins,	Hopkins,	McClellan.
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## NOT VOTING—85.

Acheson,	Edwards,	Lindsay,	Shafroth,
Babcock,	Elliott,	Loud,	Small,
Ball, Del.	Foss,	Loudenslager,	Smith, S. W.
Belmont,	Foster, Ill.	McCall,	Smith, Wm. Alden
Benton,	Fowler,	Mahoney,	Southwick,
Bingham,	Gillet, N. Y.	Maynard,	Sparkman,
Bishop,	Glenn,	Mercer,	Sutherland,
Blackburn,	Goldfogle,	Meyer, La.	Swann,
Bristow,	Hay,	Miers, Ind.	Swanson,
Broussard,	Holliday,	Moss,	Thomas, N. C.
Bull,	Howell,	Napfen,	Tirrell,
Burk, Pa.	Jack,	Neville,	Tompkins, N. Y.
Burnett,	Jackson, Kans.	Nevin,	Tompkins, Ohio
Cochran,	Jett,	Newlands,	Trimble,
Connell,	Jones, Va.	Pierce,	Vreeland,
Conry,	Ketcham,	Prince,	Wachter,
Cooney,	Kitchin, Claude	Pugsley,	Wadsworth,
Cousins,	Kitchin, Wm. W.	Ransdell, La.	Wilson,
Crowley,	Klutz,	Robinson, Nebr.	Wooten.
Dahle,	Knox,	Ruppert,	
Driscoll,	Lassiter,	Scarborough,	
Dwight,	Lewis, Pa.	Selby,	

So the conference report was agreed to.

The following pairs were announced:

For the session:

Mr. DAYTON with Mr. MEYER of Louisiana.

Mr. MCCALL with Mr. MCCLELLAN.

Until further notice:

Mr. TIRRELL with Mr. CONRY.

Mr. DRISCOLL with Mr. SCARBOROUGH.

Mr. BALL of Delaware with Mr. RANDELL of Louisiana.

Mr. BINGHAM with Mr. ELLIOTT.

Mr. HOPKINS with Mr. SWANSON.

Mr. JACK with Mr. ROBINSON of Nebraska.

Mr. HASKINS with Mr. FOX.

Mr. VREELAND with Mr. WILSON.

For one week:

Mr. ACHESON with Mr. SPARKMAN.

For the day:

Mr. Samuel W. SMITH with Mr. KLUTTZ.

Mr. CONNELL with Mr. SHAFROTH.

Mr. GILLET of New York with Mr. JETT.

Mr. WM. ALDEN SMITH with Mr. BELMONT.

Mr. MERCER with Mr. NEWLANDS.

Mr. COUSINS with Mr. HAY.

Mr. SOUTHWICK with Mr. RUPPERT.

Mr. TOMPKINS of New York with Mr. LINDSAY.

Mr. TOMPKINS of Ohio with Mr. EDWARDS.

Mr. SUTHERLAND with Mr. PUGSLEY.

Mr. MOSS with Mr. NEVILLE.



Mr. NEVIN with Mr. MAHONEY.  
 Mr. WADSWORTH with Mr. JACKSON of Kansas.  
 Mr. PRINCE with Mr. JONES of Virginia.  
 Mr. LOUDENSLAGER with Mr. NAPHEN.  
 Mr. LEWIS of Pennsylvania with Mr. GLENN.  
 Mr. KNOX with Mr. CLAUDE KITCHIN.  
 Mr. KETCHAM with Mr. WILLIAM W. KITCHIN.  
 Mr. HOWELL with Mr. GOLDFOGLE.  
 Mr. FOSS with Mr. FOSTER of Illinois.  
 Mr. DAHLE with Mr. COONEY.  
 Mr. BULL with Mr. CROWLEY.  
 Mr. WACHTER with Mr. WOOTEN.  
 Mr. BISHOP with Mr. MAYNARD.  
 Mr. BLACKBURN with Mr. COCHRAN.  
 Mr. BABCOCK with Mr. PIERCE.  
 Mr. BURK of Pennsylvania with Mr. BURNETT.  
 Mr. MILLER with Mr. SMALL.

For the vote:

Mr. LOUD with Mr. TRIMBLE.  
 Mr. HOLLIDAY with Mr. BROUSSARD.  
 Mr. FOWLER with Mr. BENTON.  
 Mr. BRISTOW with Mr. MIERS of Indiana.  
 Mr. DWIGHT with Mr. THOMAS of North Carolina.

The result of the vote was then announced as above recorded.  
 On motion of Mr. HEPBURN, a motion to reconsider the vote whereby the conference report was agreed to was laid on the table.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bills of the following titles; in which the concurrence of the House of Representatives was requested:

S. 6848. An act to establish a life-saving station at Cape Nome, Alaska;

S. 3638. An act for the extension of Eighth street northwest, or Wright's road, District of Columbia;

S. 4922. An act granting an increase of pension to Andrew C. Smith;

S. 5219. An act to grant an honorable discharge from the military service to Robert C. Gregg;

S. 6048. An act granting a pension to Lillian G. Elkins; and  
 S. 7186. An act granting a pension to Mary C. Smith.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3287) to fix the salaries of certain judges of the United States.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 16731. An act permitting the town of Montrose, Colo., to enter 160 acres of land for reservoir and water purposes;

H. R. 10678. An act for the relief of the Florida Brewing Company;

H. R. 10355. An act granting an increase of pension to William W. Smithson;

H. R. 12952. An act authorizing the Secretary of the Interior to issue patent to the Rochford Cemetery Association to certain lands for cemetery purposes; and

H. R. 12411. An act granting an increase of pension to Joseph Bart.

The message also announced that the Senate had passed without amendment the following resolution:

House concurrent resolution 57.

*Resolved by the House of Representatives (the Senate concurring), That there be printed and bound in cloth 3,000 copies of a Congressional Directory which embraces the biographies of all members of Congress from the Continental Congress to the Fifty-seventh Congress, inclusive, compiled by O. M. Enyart, 2,000 copies for the use of the House of Representatives and 1,000 copies for the use of the Senate.*

#### PORT OF NIAGARA FALLS, N. Y.

Mr. PAYNE, from the Committee on Ways and Means, reported back with a favorable recommendation, the bill (H. R. 16885) to extend to the port of Niagara Falls, N. Y., the privileges of the act approved June 10, 1880, governing the immediate transportation of dutiable merchandise without appraisement; which, with the accompanying report, was referred to the Committee of the Whole on the state of the Union, and ordered to be printed.

#### TERMS OF UNITED STATES COURTS, KANSAS CITY, KANS.

The SPEAKER laid before the House, with amendments of the Senate, the bill (H. R. 7642) providing for the holding of terms of the circuit and district courts of the United States at Kansas City, Kans., and for other purposes.

The amendments of the Senate were read.

Mr. JENKINS. I move that the House concur in the Senate amendments.

The motion was agreed to.

#### RECORD OF DEEDS, ETC., IN INDIAN TERRITORY.

Mr. LACEY. I call up the conference report on bill (S. 5678) providing for record of deeds and other conveyances and instruments of writing in the Indian Territory, and for other purposes. I ask that the reading of the conference report, which has been printed in the RECORD, be dispensed with, and that only the statement of the House conferees be read.

Mr. RICHARDSON of Tennessee. Reserving the right to object, I wish to ask whether all the conferees have signed this report.

Mr. LACEY. They have. It is a unanimous report.

The SPEAKER pro tempore. Without objection, the statement only will be read.

The statement of the conferees was read, as follows:

The effect of this agreement is to accept the bill in the form in which it passed the Senate, defining the recording districts and places of record in Indian Territory.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House of Representatives to the bill (S. 5376) "providing for record of deeds and other conveyances and instruments of writing in the Indian Territory, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment; and the Senate agree to the same.

J. S. SHERMAN,

JOHN F. LACEY,

JOHN S. LITTLE,

*Managers on the part of the House.*

WM. M. STEWART,

O. H. PLATT,

JAMES K. JONES,

*Managers on the part of the Senate.*

Mr. LACEY. Mr. Speaker, the House bill on this subject authorized the judges of the courts to divide the Territory for the purpose of making registration districts. The Senate bill specified the divisions of the Territory. The House conferees yield and accept the Senate bill, thereby agreeing to the divisions as embraced in that bill.

The question being taken, the report of the committee of conference was agreed to.

On motion of Mr. LACEY, a motion to reconsider the last vote was laid on the table.

#### SUNDRY CIVIL APPROPRIATION BILL.

Mr. CANNON. I move that the House resolve itself into Committee of the Whole on the state of the Union for the purpose of considering House bill No. 17202, known as the sundry civil appropriation bill. Pending that motion, I will ask the gentleman from Arkansas [Mr. McRAE] whether we can not now make some arrangement as to the duration of the general debate.

Mr. McRAE. I think we on this side can agree to accept an hour, as I have applications for only a part of that time.

Mr. CANNON. Then I ask unanimous consent that general debate on this bill close in not exceeding two hours. I think I shall not want an hour for myself.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent that general debate on the sundry civil appropriation bill in Committee of the Whole be closed in not exceeding two hours. Is there objection? The Chair hears none, and it is so ordered.

The motion of Mr. CANNON was then agreed to; and accordingly the House resolved itself into Committee of the Whole on the state of the Union (Mr. TAWNEY in the chair) and proceeded to the consideration of the bill (H. R. 17202) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1904, and for other purposes.

Mr. CANNON. I ask unanimous consent that the first reading of the bill be dispensed with.

There was no objection; and it was ordered accordingly.

Mr. CANNON. Mr. Chairman, I will detain the Committee of the Whole for only a few minutes touching this bill and some matters of especial interest to the committee and the House, to which I wish to call attention.

This bill is accompanied by Report No. 3427, which explains the bill, its new provisions, and its changes of existing law, where the same are recommended.

The bill by its recommendations carries in round numbers \$78,000,000 upon estimates of \$80,000,000, the recommendations being \$8,000,000 less than the regular and supplemental estimates, and \$17,000,000 in round numbers more than the appropriations for the current fiscal year.

The increases in the bill over current law are referred to in the report; and the merit of the same will no doubt be explained and debated, paragraph by paragraph, under the five-minute rule as we proceed with the consideration of the bill.

Your committee have put much labor upon the preparation of this bill and feel that, complying with legislation over which

they have no control—touching rivers and harbors, touching public buildings, touching light-houses and life-saving stations, and all along the line of public service—we could not recommend less than we have recommended from the standpoint of existing legislation and sound public policy. We have failed to recommend here and there appropriations that Congress has power to make under the rules of the House and the Senate upon general bills, because, in the judgment of the committee, appropriations here and there ought not to be made to the full limit proposed by the estimates.

Now, without further discussion of the bill, I crave the attention of the House to amendments that have been discussed by the Appropriations Committee, and which have been investigated at the last session and the present session of Congress; and while we have not reported in this bill items covering the matters to which I shall refer, I have it in mind—I think with the approval substantially of the committee, and certainly of my own judgment—to move at the appropriate places the items to which I now desire to call attention.

Mr. Chairman, the progress of the Republic is wonderful. If we stop to think about it, it overwhelms the individual and all of us. I am not an old man—I fancy I am not—but it is within my recollection as a boy, after I had begun to take some notice of public affairs as they were referred to in the few newspapers that we had away back in 1850, as a lad of 14, reading that Congress had authorized the extension of the Capitol building; then year after year progress was reported on the Dome, this wing, the other wing, and finally, as I recollect, there was substantial completion—not full completion—along in the early sixties, when my friend from Pennsylvania [Mr. GROW] presided over the House.

Mr. GROW. We did not have any roof on.

Mr. CANNON. The gentleman says that no roof was on. He will recollect with more accuracy than myself as to when the two wings of the Capitol were occupied. But at the time the extension of this Capitol was determined upon we had 23,000,000 people in the United States, 30 States—a population of 23,191,876, to be exact. The membership of the House, including Delegates, was 173. Each Representative represented 134,000 people. There were 36 committees of the House. The minimum membership of any committee was 3 and the maximum 9. The number of States represented in Congress was 31. In 1900 the population of the country was 76,000,000 plus. The membership of the next House, the Fifty-eighth Congress, will be 389, as against 173 a half century ago. Each Representative will represent 190,000 people. There are now 45 committees of the present House, as against 31 of the House of half a century ago. The minimum membership of the committee is 5 and the maximum 17, as against 9 of a half century ago.

The number of States now represented in Congress is 45. I don't know that it is necessary for me to say more touching the increase of population and the growth of the country, a country that had within its boundary and its institutions the material for everlasting differences and contention ripening ten years later in civil war—the greatest war, the most expensive war in blood and treasure, the most heroic war that was ever waged in the history of the race, involving an expenditure of \$8,000,000,000 and a resulting expenditure in a pension roll of \$140,000,000 a year. And the end is not yet.

To-day we have a reunited country with material progress such as it has never experienced before, such as the world never before saw. Then we had the great unsettled West, what is now the Middle West and what is now the West, reaching out to the Pacific coast, an unknown country, presumed at that time to be of but little value, a land of desert, of wild beasts and wild men, abounding substantially in agriculture alone, not much of railways, not much of river and harbor accommodations, not much of improvements of inland navigation—not necessary. Then we had Chicago, with 50,000 people, minus; now it is a city of nearly two million. New York had a comparatively small population; Cincinnati less than a hundred thousand. Nothing at San Francisco, while the thousands of prosperous villages that reach out along 200,000 miles of railway, trading places as they are, with elevators and factories, were not.

Mr. Chairman, no prophet could have foretold what has happened in that half century.

Now, to the gratification of all of us, however we may throw words and sentences back and forth for partisan advantage, which I do not deplore, because ours is a government through parties, after we have fought our partisan fight, there is no man in the House upon either side who is not glad and glories in the growth and greatness of his country, its material prosperity, its intellectual wealth. Without boasting, no population on earth can equal it. We are first in agriculture still, but in diversification of industry, through the enterprise and the industry and the cunning and the judicious use of capital, sometimes, perhaps, in-

judicious it appears as we try to solve some of the problems that present themselves, we leap forward in competition with all the world until this country of ours to-day, for capital, is many, many, many billions of dollars ahead of any nation on earth; and while we remain first in agriculture, as far as manufactures are concerned we have, by virtue of the skill of our people, an annual product more than equal to the combined product of Great Britain and France and Italy and Austria.

Now, I have thought proper, as an American citizen and as a member of the House of Representatives, to speak of this material condition, because in almost thirty years of public service I have seen the country grow. Here we have our Capitol, everybody proud of it, this great building of wonderful architecture, beauty, and excellence—we are proud to say, perhaps, the best capitol building on earth, everything considered. Yet, Congress by Congress and decade by decade, with the increase of members, it becomes more and more insufficient for the purposes of the Congress of the United States, enlarged as it has become in the legislation and the business of the whole country.

I never have been an advocate of extravagant expenditures. I have always believed that enough was as good as a feast. Yet, in common with every other member, from one Congress to another, I have had the feeling that something ought to be done to enable the people's representatives especially, because we are the large body, as well as the popular body, to be better equipped in the Capitol and about the Capitol for the transaction of our legislative duties. [Applause.] The salary of a member of Congress is the same now that it was some time ago, a little less by twenty-five hundred dollars a year than it was when I entered Congress thirty years ago. Five thousand dollars is a large sum; yes. I have always lived at a hotel. I have never been able to keep house, I felt, in justice to myself and my family, because that meant entertainment. It meant expenditures for rent, in the absence of money to buy a house. It meant living in the house, and if you did as others did who keep house, economical though you might be, without frills, it meant the taking of from three to five thousand dollars of the salary, and then living in a very plain way, quite as plain as we would in our respective homes where our citizenship is.

But I do not desire further to refer to the pay of members. I wish to say that, owing to the increase of the price of living and the increase in the duties of a member of Congress—which I think I can safely say, from personal experience for thirty years, have been multiplied at least by three—it becomes necessary to live somewhere, in a leased house or an old house, or at a hotel or a boarding house, and it becomes necessary for every member of Congress, in the performance of his business as he ought to, in justice to his constituents, to have, outside of the place where he sleeps and receives friends in a modest room or little parlor, an office—a place to put the help, a place to put his papers. Many members for many years have complained, "Why, I have to go here or there and lease an office. My constituents do not find me when they come, unless they find me at the House of Representatives or at my home. Why can not something be done," they say, "to enable Representatives in Congress, in the performance of their official duty, to be found by their constituents?"

Now, your committee have given that matter investigation, and in connection with the investigation they have been assisted by the Superintendent of the Capitol, a most praiseworthy, honorable, vigilant, competent official, with the knowledge that a first-class architect ought to have and the common sense and practicability that few architects do have. He serves this House; and the Committee on Appropriations set him to work over a year ago, and he investigated touching the cost of an office building that would accommodate the House.

It will be seen at once that an office building ought to be in the vicinity of the Capitol. You can not put it on this reservation without doing injustice to the architecture of the Capitol, and what is it—the perspective? My friend from Missouri [Mr. BENTON], who is an authority on the subject, nods his head, and I know I am right always when he does that. [Laughter.] So that it has necessarily to go off of this reservation.

Now, the Architect of the Capitol, in making his investigations under the consultation of the committee, concludes, and I think rightly so, that if an office building is constructed for committee rooms and offices for Representatives for official purposes, it ought to be somewhere on one of four blocks, commencing on this one toward which I point, which I will describe as the Congressional Hotel block, or the next one or the one that runs down to the corner where the cars turn as we begin to ascend the hill. You could not have it at the other end very well, north of the Senate, because that would not be convenient for us. You could not properly go farther away, either east or west, because it ought to be convenient to the Hall of the House of Representatives, and, in my judgment, from any of the four locations of which I have spoken it ought to be connected with this Capitol by a subway.



Now, this report was made in the last Congress. The Superintendent of the Capitol proposes three plans. The committee that investigated this matter believe that neither the lowest nor the highest one should be taken, but the one between; and devoting myself to that plan I will say that it is believed that a site can be procured at the outside for \$750,000. It is believed that it can be procured for half a million dollars; but as the appropriation, in the event it is authorized, must be sufficient to cover the cost of condemnation, to enable the proceedings to be effective, we put in not exceeding \$750,000 for a site and to begin building.

That plan requires an area of 81,500 square feet. I believe there are 43,000 square feet in an acre, so that it is a little less than 2 acres. If constructed on either of the large squares which I have just referred to, this requirement could be met with proper distance surroundings. The building would have a floor space of more than 136,000 square feet. It would be three stories high, with a subbasement. It would contain 96 rooms on each floor, and allowing for storage and heating purposes in the subbasement, will afford from 374 to 410 available rooms. I do not mean including that, but allowing for that there would be that many rooms left, 374 to 410. The subbasement would be well lighted by courts and suitable for storage purposes. The size of the office rooms would average 17 by 20 feet. Assuming that all materials can be contracted for and delivered promptly, it is believed the building can be finished in about two and one-half years after acquisition of site. It can be connected with the Capitol by a tunnel. Let the question of outside finish, whether to be of marble or granite, be settled by the proposed commission. These are little memoranda that I made from the report. Now, a building in the locality referred to should be a building that would fairly correspond with the Capitol in appearance. You can not put a cheap-John building there. It is right here at the Capitol.

This building can be completed with architecture that fairly corresponds with the Capitol—such as it ought to be—and with granite or marble finish, with 400 rooms for committee rooms and offices for official purposes with room for heating, if thought wise, subsequently to furnish the electricity for lighting and the steam to heat this Capitol as well, with a subbasement that would be sufficient for the folding room and the document room of the House. If any gentleman wants to know whether the books in our present document room ought to be placed somewhere else, and whether the room that is now occupied is fit for that purpose, just let him wander down there with or without a candle. He will need a candle in some places and will not need it in other, if he wanders down through the rooms.

Here, with rooms well designed and ventilated, with 400 rooms for committee rooms and offices, room for the document room, and large enough, if the Senate wanted to be accommodated, for the Senate, and accommodate it as well as the House for a document room. Now, that building, all complete, heating and light, and of the kind that I have described, to correspond, as it ought to, with the Capitol, can be built for \$3,000,000. I am informed, covering the court and all, about 2 acres of land. In addition to that, the site would have to be bought, for, I believe, about a half a million dollars, although we will propose \$750,000, so as to cover it. Now, so much for the office building.

Mr. WATSON. That is \$3,000,000 for the office building alone?

Mr. CANNON. Yes.

Mr. BOWIE. Is that in this bill?

Mr. CANNON. I will say to the gentleman that the bill does not contain this provision. I believe the Committee on Appropriations are substantially in favor of it; and I will be entirely frank with the House, I think we would have reported it had it not been that it is perfectly evident to everybody that it is subject to a point of order.

Mr. MORRIS. Would you allow us to move to suspend the rules? [Laughter.]

Mr. CANNON. Well, I am going to say that, after thinking the matter over thoroughly, I believe the consensus of opinion on both sides of the House favors the construction of such a building [applause] and I will move at the proper place in the bill to insert the provision to authorize it. [Applause.] I should be very glad if we take it up by unanimous consent. If somebody else had made the motion, I would not have felt at liberty to make the point of order, although I do make them, have got to do so in justice to the House, and make them substantially all along the line. But this is a matter that runs to the comfort of all the members and affects their efficiency as Representatives. Therefore I would be glad to take the opinion of the Committee of the Whole upon it, and shall be glad if it passes upon the bill.

Mr. RICHARDSON of Tennessee. Will the gentleman allow me to ask him a question?

Mr. CANNON. Yes.

Mr. RICHARDSON of Tennessee. I did not hear all the gentleman's remarks, but indorse the latter part of them. I ask him

if this building should be alone for the use of the House of Representatives?

Mr. CANNON. The office building? Yes.

Mr. RICHARDSON of Tennessee. Will the gentleman give his assurance that the Senate will not claim an interest in it?

Mr. CANNON. I will say to the gentleman that we will specify that this is for the House. The Senate is a small body of 90, holding near one-half of this Capitol, the Supreme Court having a little room and space, and the Maltby Building, which was bought for the use of the Senate and is fairly well cared for. Then, too, if the House asks that an appropriation be made for an office building for its use, under the practice that obtains between the House and Senate, that whatever goes to the comfort and efficiency of the two bodies, respectively, lies in the discretion of the respective bodies, I do not think there will be any trouble.

Mr. RICHARDSON of Tennessee. What assurance can the gentleman give us that the building will be ready for use and occupation in the political lifetime of the present members?

Mr. CANNON. I am glad the gentleman asked that question. I stated it while he was out. It is understood that the title can be obtained in five months. Now, the Architect of the Capitol states that from the time the title is obtained, with authority to contract, that the building can be completed in two years and a half.

Now, then, I want to drop that and go to one other matter that I have in mind to offer for the consideration of the House. The Capitol building, the extension was designed by Mr. Walters, who died many years ago. You know what it is. It was never completed. The eastern projection, the size of which I will give you, by the original plan, was never built.

I will just read it. For proposed extension of the Capitol as authorized it will make a total of 108 feet. That is on the east of the old building to the wall of the extension; giving an addition of 352 feet north and south, with not less than 66 rooms, 33 for each House. It will also add to the floor space of the building, 65,247 square feet. If accommodations for the Supreme Court room are provided in this proposed extension, the number of rooms available added will be reduced to 55, instead of 66. Further, the size of these rooms will be about that of the room of the Committee on Appropriations, about 25 by 28 feet, corresponding to the rooms now in the House wing of the building.

The central extension would have 55 feet beyond the wall line of the present wing. Now, gentlemen will notice that the western extension has lately been put into committee rooms for the House and Senate. That was completed according to the original design. The corresponding extension on the east was never built. If gentlemen want to verify—if it needs any verification—if you will go out and look at the Dome on the east side, looking at the main wall of the building, you will see that the Dome extends 9 or 10 feet beyond the main wall to the east.

The whole plans are in existence. There is a drawing, which I do not care to bring in here, that was made by Mr. Walters when the original design was made, with complete plans in every respect for the extension of the building.

Now, I submit that the time has come, not only for an office building for the House, but for the completion of this Capitol. [Applause.] It will cost two and one-half million dollars to complete it. It can be completed in about the same time that it will take to build and complete the office building. If larger and increased room is wanted for the Senate, with or without the Maltby Building, it will give the Senate all the rooms that it will ever need. Because while this body will increase as the population increases, we have pretty nearly reached the limit as to the number of States of the Union. It would add to the architectural effect. It would give us the much-needed room for the transaction of business. But, say some, it costs a good deal. Yes; but, gentlemen, these new wings cost \$8,000,000; and let me tell you something: The intelligent and patriotic and industrious service by every Congress for two years, well equipped from every standpoint and with every aid, would more than save the cost of the Capitol extension and the office building in appropriate legislation and appropriate legislation for the public service.

So it is really economy instead of extravagance. Now, in my judgment, a provision to finish the Capitol according to the original design would probably not be subject to a point of order. I have it in mind that this is the proper place in this bill to move an appropriation to commence with that work and authorize it by contract, because, as the gentleman from Tennessee asked, "How long will it take?" We want it in this life, and we can not build—build as fast as we can, we can not more than half keep up with the increase in population. A large expenditure? Yes; about three and one-half million, four million, six million dollars. Now, let us build the office building and put in the heating apparatus for the Capitol in the new office building, put in the mains that bring the heat and the steam and the electricity to this Capitol, clean out the old document room and get rid of the smells and

the foul ventilation that is offensive to everybody, our constituents as well as others, have the Capitol as it ought to be, a clean, healthy place with room enough in which to transact the public business, and do it as citizens do who transact much less business than we do on their motion, and be prepared for it.

Have we the money? Yes. I think this is the time for action. In my judgment, if action is not had at this session of Congress it is liable to go over a decade and possibly longer than that, and we go crippling along with our insufficient surroundings. We have got a very considerable surplus in the Treasury. You can prove by me that there are a great many people in the United States that want to relieve the Treasury of that surplus. [Laughter.] There is the river and harbor bill, the public buildings bill, in the main well done. But once in a while there is an unwise appropriation, but in the main pretty well held in hand. In the main the appropriations not justified are denied. But in my judgment, having the money and the wherewithal for these amendments, if they are adopted and enacted into law, no better expenditure of \$6,000,000 in the next two and a half years can be made than would be covered by these amendments. [Applause.]

Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has sixteen minutes remaining.

Mr. McRAE. Mr. Chairman, I have very little criticism of the pending bill. It is exceptionally free from new legislation. It does not abound with increases of salaries for new offices. I believe it has no increases of salaries nor any new offices at all—no new legislation that is not beneficial, and none except along the lines of proper limitation upon expenditures.

There is one paragraph in the bill to which I will call attention, not for the purpose of adverse criticism, but in order that the committee may understand that the paragraph is here, and why. I refer to the paragraph which seeks to give \$3,000,000 to relieve distress in the Philippines. I regret that it is necessary that we should make this appropriation, but it is a necessary result of the policy that we have adopted for these new possessions. Without regard to whether this country should have been annexed, these people are a part of our country and entitled to the protection of our flag, and it is as much our duty to relieve distress there as in any part of our country. We have many precedents for such appropriations.

Mr. ROBINSON of Indiana. Mr. Chairman, I would like to direct the gentleman's attention to the subject adverted to by him on page 111 of the bill. It is as follows:

Philippine Islands: For the relief of the distress in the Philippine Islands, to be expended under the direction and in the discretion of the Philippine government in such proportions as they deem wise, in the direct purchase and distribution or sale of farm implements, farm animals, supplies, and necessities of life, and through the employment of labor in the construction of government wagon roads, railroads, and other public works, to be immediately available, \$3,000,000.

I certainly join with the gentleman in the regret for the necessity that makes this appropriation in his judgment and in the judgment of the committee necessary. I would like to ask him what was the opinion of the committee as to the theory upon which this sum of three millions to be granted to the Philippine Islands. Was it upon the theory that the granting of this for relief of the distress was to prevent disorder and trouble there to the military of our Government, or is it upon the theory of a pure gratuity in the line of relieving distress?

Mr. McRAE. The hearing before the committee consists of course principally of the statement of the Secretary of War or those of his Department who are familiar with the facts, the Philippine Commission, and they are all agreed that the people are in distress. Thousands of them are dying from disease, many of them suffering for food and clothing, and the appropriation is here for the purpose of relieving the distress and caring for the sick.

Mr. ROBINSON of Indiana. May I ask the gentleman how extensive the examinations of this committee were and how unanimous the evidence upon the proposition of the necessity for this large appropriation for the Philippine Islands?

Mr. McRAE. We have only one way of obtaining information from the Philippine Islands, which is through the Commission and the War Department. We have the statement of the Commission and the recommendation of the Secretary of War, and we accept those as true.

Mr. ROBINSON of Indiana. Is all the evidence in favor of it?

Mr. McRAE. Both concur in the statement that the distress exists and that the relief ought to be granted.

Mr. WILLIAMS of Illinois. I should like to ask the gentleman whether the hearings before the committee show the cause of this destitution?

Mr. McRAE. Sickness is the principal cause.

Mr. CANNON. Will my friend be willing to reserve the balance of his time and let me resume the floor and take the balance of my time? My colleague on the committee [Mr. GILLET of

Massachusetts] has to leave the House. I should like to yield the remainder of my time to him and he would like to talk now.

Mr. McRAE. Yes; I will do that.

Mr. CANNON. Very well. I yield the remainder of my time to the gentleman from Massachusetts [Mr. GILLET].

The CHAIRMAN. The gentleman from Massachusetts is recognized for sixteen minutes.

Mr. GILLET of Massachusetts. Mr. Chairman, that which entitles a member to a hearing in this House, on any subject, is long experience or long study of that subject, which the gentleman from Illinois [Mr. CANNON] so well exemplifies on this bill. I wish to impose a few remarks upon the committee from exactly the opposite ground, from the standpoint of a novice. I have just served my first term on the subcommittee framing one of these large appropriation bills, and I thought it would be pardonable to give to the House a few of the first impressions which the various hearings have produced on my mind. There were some of them quite startling.

I do not think I have any special disposition to be parsimonious in spending other people's money, and at the same time I think any member serving his first term on one of these subcommittees and listening to the hearings can not fail to be made conservative and to feel that the ordinary metaphor is seriously true which compares the public Treasury to a crib, to which innumerable applicants are constantly fighting for subsistence. And I am simply going to recount a few of the incidents in the hearings which especially surprised me, and which it seems to me would strike the House as extraordinary and instructive.

The first instance I will refer to is what seems to me an act of insubordination or disobedience, or perhaps it would be more fair to say indifference on the part of a great department to the command of Congress. In the last sundry civil bill Congress appropriated about \$1,000,000 for the construction of certain prescribed buildings. This year the gentlemen who had charge of that construction came before our committee and asked, I think, \$600,000 more for the completion of those very buildings for which the House last year appropriated over \$1,100,000. They were asked why it was that they had not observed the orders of Congress and built those buildings which we specified for \$1,100,000, and all they could say was that the money was not sufficient, that their plans were too large, and that they needed this \$600,000 more to complete what we ordered last year to be done for \$1,000,000. They had commenced on too grand a scale and had not been willing to reduce their expensive plans to the limitation imposed by Congress.

Now, what were we to do? We could not deny this appropriation, for here were the buildings, which were useless unless completed. We have no power over these officers, because we did not appoint them and we can not remove them, and if we should refuse to make this appropriation they would not be the sufferers, but the sufferers would be the innocent people for whom these buildings were planned. So we could simply do again what we did last year; that is, say that certain buildings should be erected for this money, and then wait and see whether in the next Congress they will again disobey our mandate and use up this \$600,000 and still ask for more.

Mr. MAHON. Will the gentleman allow me to ask him a question?

Mr. GILLET of Massachusetts. Certainly.

Mr. MAHON. Why did you not put it in your bill that the money shall not be used for any other purpose?

Mr. GILLET of Massachusetts. It was put in the bill last year. It was specified that they should build a certain number of buildings, and they did not do it, because they started with such expensive plans that the money would not hold out. They ought, of course, to have changed to simpler plans. What can we do? How can we punish them? Whether that exemplifies a whole series of smaller acts which are constantly going on under the different departments, evading the purpose of Congress, I do not know, but I confess when there is one such glaring offense of this kind, involving hundreds of thousands of dollars, I can but suspect that in small ways there may be many appropriations we make which are diverted from their intended purpose.

Another case similar to this came before us. An appropriation was asked for of, I think, \$20,000 or \$30,000 to put in elevators in a building which was just finished. We asked, "Was not that elevator provided for in your plans of the building?" "Certainly." "Why did you not put it in?" "There was not money enough." "Why did you not make your plans so that the money appropriated would complete them?" There could be no answer. Of course the purpose was to make the building a little better than they could for the sum Congress appropriated and then trust to the good nature of subsequent Congresses to supply the deficiencies they left.

I understand that in some States there are laws making it a crime for an officer to exceed the authorized expenditures. I



incline to think it would have a very beneficial effect here. I know of one case, not in this bill, where Congress appropriated \$20,000 to build a couple of houses, just alike. The Government official who had control of the building advertised for bids. He could not get anybody to build the two houses for less than \$21,000 or \$22,000. What did he do? Did he revise the architect's plans and make smaller buildings, to conform to the purpose of Congress? Oh, no; not at all. He wanted these particular buildings. So, inasmuch as no contractor would build them for \$20,000, he went on and said: "I will build them by the day," regardless, apparently, of the limitation.

He went on by day labor and built one building, and by the time it was finished had spent about \$15,000, and then he used up the rest of the \$20,000 on the other building, and diverted to it some appropriations which belonged to an entirely different department; and then, when he found he could not finish the other building, even with that assistance, he came back to Congress, and we gave him an amount sufficient to complete the two buildings at an expense of about \$25,000, I think. I do not know how common such systematic violations of our laws are, and I do not think this House is aware of them, and it is well that these extreme cases should come to your attention.

Now, these are cases of plain violation of our laws. There is another series of cases that is quite different, and that is the tendency of departments to come before Congress and get all the money they can, without any apparent thought of economy. One is a case before us in this bill. There is an appropriation for \$2,000,000 for Army barracks. There was a similar appropriation last year, I think. There is an appropriation of about the same size in the Army bill of this year, and I believe was last year. I find our Army to be provided with barracks consists of about 57,000; about 20,000 of these are in the Philippines, leaving about 37,000 men in this country. About 14,000 of these are in the coast artillery, which leaves about 23,000 men in this country outside of the coast artillery. Yet the officers in the War Department report to us that there are barracks to-day in this country, outside of the coast artillery, for 31,000 men; and yet they want \$4,000,000 more for barracks.

Now, undoubtedly many of these barracks are old and could be vastly improved. They have not the modern conveniences, and yet I question very much if, when we have existing barracks for 31,000, we ought to go on, when we have only an Army of 23,000 who need them, and spend millions of dollars every year providing new barracks. I found that one of these cases was right here at the Washington Barracks, and I thought I would go down and see what was being done. There is where they are going to build the new War College, which the present administration of the Army is so much interested in. I suppose each administration gets interested along different lines. I have no doubt that a War College is a most admirable institution; but perhaps a few years from now the administration of the Army will not care much about a War College and will be pursuing some new fad. But just now the War College is greatly in favor, and so I find they have gone down here to this point of land on the Potomac, where there are now barracks and officers' quarters for the engineers, and have decided to put this War College there.

There was apparently plenty of land for them at this end of the yard. The barracks and officers' quarters now occupy the extreme southern end of the point of land, and there is a large portion of land between there and the entrance, which is unoccupied; and naturally you would think that if they were going to put the War College there, they would put it at this end on the unoccupied ground. But no, they go down there and decide the War College must go where the ground is all covered with barracks and officers' quarters, and that they are going to raze to the ground all the present barracks and officers' quarters and make a new open field and put up their buildings for a War College. Then they are going to put up new barracks and new officers' quarters for the engineers at this end of the grounds now vacant.

I have no doubt the present officers' quarters and barracks are old and have not modern improvements. I suspect they are about as good as the men and officers would have in civil life, and I expect they would live fairly well as they are. And it looks to me like an instance where the Department, with undoubtedly the purest intentions and highest purpose, entirely disregards economy and only studies to get the very best results for themselves without regard to expense. They are going to tear down an army hospital only ten years old, apparently doing very good service, in order to carry out the wholesale plan of obliterating everything there and building up anew, and then they want several hundred thousand dollars from us for a new hospital to take its place.

There is another whole series of expenditures which attracted my attention, the appropriations for the Geological Survey and the Smithsonian Museum. I confess it does not seem to me that it is wise for this National Government to spend money simply for scientific researches which do not promise any direct material

advantage. I should think gentlemen on the other side of the House might think it was unconstitutional for the Government to spend money for scientific research. At any rate, I think it is not wise and not the part or purpose of this Government to be spending money purely for scientific and educational purposes. We have a great Museum there.

That Museum seems to be of great interest to all of the people of the United States who come to the capital, and ought to be continued and kept up, and I think it ought to have a new building and be handsomely housed, but I do not see why it should cost \$170,000 a year simply to take care of that Museum.

Then we appropriate \$40,000 a year for investigations in ethnology. I have no doubt very learned results have been produced, of great value in that field of research, but I ask myself, Why should this Government be paying for it? There is, I believe, a theory that this money is spent to instruct Congress, and particularly the Indian Affairs Committee, how we should treat the Indians, but I doubt if members get their inspirations for that legislation from this department, and certainly the success of our legislation does not testify to its value. But however valuable it may be to the scholar, I do not think it is a proper object for Government support.

Then we appropriate \$10,000 each year for studies in paleontology. Why should we study that? How does paleontology interest the Government of the United States? It means, I believe, a study of fossils. Now, if they would study the numerous fossils connected with the Government, and find out some way to eradicate them, I would make no criticism. [Laughter and applause.] But to spend \$10,000 supporting some learned and excellent men in the study of fossils out in our West seems to me wrong. But it has gone on year after year and has become a regular practice.

There is another appropriation of \$15,000 for astrophysical researches, or the effect of the sun on the earth. I have no doubt that it, too, is a most desirable result to have accomplished somewhere, but I do not see why the United States Government should appropriate money to carry it on. A most learned, and accomplished, and genial, and delightful gentleman is in charge of it, one whom we are all proud to see connected with the Government, and yet it seems to me the purpose of this Government is not to make these discoveries. We had a request for \$25,000 for a collection of butterflies, which I have no doubt would still more adorn the collections of the Museum. I do not think we ought to spend much money to make these collections scientifically complete. They interest the public; let us keep it interesting and not try to make it scientifically perfect.

Now, the last Smithsonian report attracted my attention. I have no doubt it attracted the attention of every member, if you had as many letters from constituents asking for it as I have. I understand the reason was that soon after it was issued there appeared in the press all over the country a uniform and highly complimentary notice of that report, suggesting that we could furnish it on request, which brought to us all many more applications than we could comply with. I looked at the report, and I find that the report proper of the Director occupies 52 pages. Next come 100 pages of appendices, which relate to the business of the office. Then follow 600 pages of miscellaneous articles, reprinted from magazines and newspapers, profusely illustrated. This document is published by the Smithsonian Museum as a Government document. I do not think the publication of such books is a proper use of the privilege of the Institution. I do not think that this is any proper part of their report. I do not think it ought to be printed and distributed at public expense. It is undoubtedly interesting to our constituents. I notice, for instance, one article—

[Here the hammer fell.]

Mr. CANNON. I ask unanimous consent that the time for general debate may be extended for twenty minutes on each side. There was no objection.

Mr. CANNON. I now yield to the gentleman from Massachusetts [Mr. GILLET], reserving one minute.

Mr. GILLET of Massachusetts. I only want a few minutes more.

Mr. CANNON. Take all the time you want. I have no other applications for time.

Mr. GILLET of Massachusetts. This one article that attracted my attention was an article by Fournier, automobilist, giving an interesting account of the automobile races from Paris to Berlin. This is profusely illustrated by pictures of automobiles with the crowds along the way. What has that to do with our Smithsonian Institution or with the advancement of science? It seems to me all this ought to be struck out. It is interesting, of course, because it has all been printed in magazines, etc., before and has been tested. But it is not a proper part of a Smithsonian report, and I think such publications are an abuse.

In this way my attention has been attracted to various reports

which exemplify another abuse, the profuse indulgence in illustration, which ought to be stopped. For instance, here are the annual reports of the various Territories, and the one feature of them which I think is growing to be an abuse consists in the illustrations which they contain. I can not stop to describe the numerous pictures, but here are one or two. Here is the report of the Territory of Alaska, in which I find one illustration entitled "The Eskimo haymakers at Unalaska." It is a picture of 15 or 20 men with scythes, rakes, etc.—not particularly different from any other haymakers, but the picture tends, perhaps, to make up an interesting report. Sprinkled all through the report are illustrations—photographs, expensive, of course—absolutely useless, except to attract the eye and make the report, if possible, entertaining. Whether they succeed in that respect or not, they certainly make it expensive.

Here in the report from the Territory of Oklahoma is a group entitled "Picking cherries on an Oklahoma fruit ranch." It is a picture of some good-looking young women on ladders—such a group as you might see not only in Oklahoma, but in any other Territory or in any State of the United States.

In the report from the Territory of Hawaii I find a large-sized picture of a beautiful girl, and it is entitled "Hawaiian woman." This is gotten up at Government expense, with the object, doubtless, of attracting attention to Hawaii, and if this were a fair specimen of Hawaiian women I have no doubt it would stimulate a large immigration of young men.

Then, here in the report from the governor of New Mexico I find one picture entitled "Normal school basket-ball team, Silver City, 1901." It is a picture of a group of about a dozen plump and comely young women in bloomers; it is the great basket-ball team! I suppose the object is to show us that the West is rivaling the effete East in modern civilization, and that those people are well entitled to admission into the Union. Next year I presume we shall have pictured in this way the football team of the normal school, and then there can be no question of her title to statehood.

Now, here is a document which possibly some of you gentlemen have seen—the report of the Boundary Commission upon the boundary between the United States and Mexico. It is a beautiful album, containing nothing but a series of photographs—large photographs on handsome paper—making an elegant book. When you come to look at it you find that the first picture is of Boundary Stone Marked No. 1, and the next is Boundary Stone Marked No. 2, and so it goes on till the last, where we find Boundary Stone Marked No. 258. There is a separate photograph of each one of these boundary stones between the United States and Mexico. They have tried to make this interesting by putting in the mountains in the background, sometimes in one direction, sometimes in another; here they have the picture of a cactus tree, and here is a group of farmers; here is a horse; there is a cow. They tried to make variety, but the whole collection is simply a series of pictures of boundary stones. They might just as well have gotten up a series of pictures of the milestones along the Pennsylvania Railroad or the gravestones at Arlington Cemetery, decorated by an artist with a few accompanying objects. It must have cost thousands of dollars to make simply the photographic plates for this publication.

This publication you will be surprised to learn, emanates from that seat of economy and frugality and unselfishness—the United States Senate; it is printed as a Senate document. That particular abuse of course we can not check, but I think there ought to be some committee with the power to act as censors over the public printing and to cut out these useless, if ornamental, photographs, to restrict our printing to what it naturally should be. I must admit that the departments have large excuse for extravagant printing when they look at the printing of Congress. I presume the Smithsonian director would say, and say very truly, "My report is infinitely more interesting and useful than most of the reports of Congress which you are constantly publishing."

I will admit the truth of that retort. We are just as much to blame as they are. There ought to be in Congress some committee which should see to it that our reports are not printed as they are now—everything, either valuable or useless, of the same amount and of the same variety and same number—but that they ought to be in some way checked and prevented.

Mr. MANN. Mr. Chairman, will my friend permit a question? Mr. GILLET of Massachusetts. Certainly.

Mr. MANN. Does the gentleman not think that the grossest abuse in the matter of printing is permitting an extension of remarks in the RECORD and permitting members of Congress to print long speeches that were never delivered on the floor of the House, and to which every gentleman gives his consent?

Mr. GILLET of Massachusetts. I do not. I differ from the gentleman there. I think that probably nine-tenths of the speeches delivered here—and I suppose the gentleman from Illinois will say that mine should be included among the rest—were better printed than delivered.

Mr. MANN. Oh, no; I would never make that remark about any of the gentleman's speeches.

Mr. GILLET of Massachusetts. But I really think that the rule of allowing speeches to be printed is a great refuge, that it saves the time of this House and accomplishes just as much as if they were orally delivered. It seems to me that where the great abuses creep in are in these enormous numbers of documents which are filling up the whole Capitol and which I am sure are encumbering us very much to know what constituent would ever look at them, and which are, most of them, absolutely wasted. That is an enormous expense to the Government.

It seems to me that the whole subject of printing is one that requires investigation. I was particularly struck, when the Public Printer was before us, to find that here is the CONGRESSIONAL RECORD, one of the largest newspapers in the country, published daily, and yet there is not a typesetting machine in the whole Government Printing Office, with its splendid new building and modern equipment. It is all done by hand as it was years ago, whereas, I suppose, every other enterprising paper in the United States has these time-saving machines. Whether the public printing is as expensive or economical as we generally hear, I do not know. It is a subject much discussed and which, I think, ought to be investigated. It was called to my attention within a few days by another incident. A gentleman who was a member of one of the departments of the Government showed me two blank books and asked me if I could tell which was the better. I could not see much difference between the two. He replied that if he ordered one of them he could get it in the public market for 30 cents, and the other one would cost at the Government Printing Office \$1.40.

Now, I have an impression that almost all Government business is transacted at about double the expense that it would be outside, but I did not suppose that any department of the Government was compelled to pay from four to five times as much as outside. That may be a mistake. There may be a vital difference in the two books which I did not see, but it corroborated to some extent much of the gossip which we hear about the expense of that department of the Government. Now, I wish to say, before sitting down, that most of these expenses of the departments, the scientific departments in particular, are not due to any malfeasance on their part or to any ill intentions on their part; are not due, perhaps, to extravagance. It is simply due to the fact that they are enthusiastic in their departments; that they see great possibilities which they can accomplish; that they see great advances to science and culture and civilization, and doubtless think we are sordid in demanding material returns for our money.

That enthusiasm is most commendable. It is only by such enthusiasm for this work that any department can be successfully carried on, and we can not expect that they will stint themselves when their imaginations see such possibilities, but it is for us, when they come to the question of appropriation, to look at it in the cold light of taxation and not to allow the enthusiasm of any department to run away with us. It is for us, looking at all the different departments of the Government, to say how much shall be given to each one and to try to make each appropriation commensurate with the results which are the best for the Government, and that is what the different departments do not do and probably can not be expected to do. That is probably what, owing to the constitution of humanity, we would not even want them to do. Therefore what this House ought to do, it seems to me, is to carefully scrutinize and suspect the estimates that come in, and ruthlessly cut them if we think they ought to be cut.

I suppose I ought not to reveal anything that goes on in a committee, but I think it is no betrayal of confidence to say that not once in all the framing of this bill was it suggested in the committee that there was any danger that any one item which we passed would be cut down by the House. The only danger in considering any item was whether the House might not make it larger. I think each member is too apt to look at his own particular district and wishes and not to weigh what the country as a whole requires.

Now, I thought before I had become petrified on the committee by service, before I had gotten quite accustomed to distributing \$80,000,000 in a few days and throwing a hundred thousand dollars here and there, I would express the effect which is produced on me by hearing this testimony. I wish that the House could give more minute attention to it and observe how the different departments are each enthusiastically grasping for what money they can get, and then consider whether it is not the duty of this House to carefully retrench these annual expenditures. [Applause.]

Mr. McRAE. Mr. Chairman, I wish to call attention to a matter which affects the western boundary of the State of Arkansas—a question recently brought to the attention of the public by the passage of a concurrent resolution through the general assembly



of the State of Arkansas. The claim is that Arkansas is entitled to a strip off of the east side of the Indian Territory 40 miles wide. In order that all of the facts as to why this strip of territory was attached to Arkansas Territory and how it was given to the Indians may be fully understood by Congress, by the people of Arkansas, by the people of the Indian Territory, and by others who may be interested, I desire to call attention to certain statutes and treaties relating to the organization of the Territories of Louisiana, Orleans, Missouri, and Arkansas, and affecting the boundaries of Arkansas, both as a Territory and State.

The act of March 20, 1804, provided for the organization of two Territories in Louisiana Territory, acquired from France, one to be called Orleans and the other the Territory of Louisiana.

SECTION 1. That all that portion of country ceded by France to the United States, under the name of Louisiana, which lies south of the Mississippi Territory, and of an east and west line to commence on the Mississippi River, at the thirty-third degree of north latitude, and to extend west to the western boundary of the said cession, shall constitute a Territory of the United States under the name of the Territory of Orleans.

SEC. 12. The residue of the province of Louisiana, ceded to the United States, shall be called the district of Louisiana. (2 Stat., 283.)

The act of June 4, 1814, provides:

That the Territory heretofore called Louisiana shall hereafter be called Missouri. (2 Stat., 743.)

The first section of the act of March 2, 1819, provided for the establishment of a separate Territorial government for the southern part of the Territory of Missouri, to be known as Arkansas Territory, and I call attention to the fact that in this act the name is "Arkansaw," not "Arkansas."

That from and after the 4th day of July next all that part of the Territory of Missouri which lies south of a line beginning on the Mississippi River, at 36° north latitude, running thence west to the river St. Francis, thence up the same to 36° 30' north latitude, and thence west to the western Territorial boundary line, shall, for the purposes of a Territorial government, constitute a separate Territory and be called the Arkansaw Territory. (3 Stat., 493.)

By the act of March 6, 1820, the State of Missouri was admitted into the Union with the following boundary:

That the said State shall consist of all the territory included within the following boundaries, to wit: Beginning at the middle of the Mississippi River on the parallel of 36° north latitude; thence west along that parallel of latitude to the St. Francois River; thence up and following the course of that river, in the middle of the main channel thereof, to the parallel of latitude of 36° 30'; thence west along the same to a point where the said parallel is intersected by a meridian line passing through the middle of the mouth of the Kansas River where the same empties into the Missouri River; thence from the point aforesaid north along the said meridian line to the intersection of the parallel of latitude which passes through the rapids of the river Des Moines, making the said line correspond with the Indian boundary line; thence east from the point of intersection last aforesaid along the said parallel of latitude to the middle of the channel of the main fork of the said river Des Moines; thence down and along the middle of the main channel of the said River Des Moines to the mouth of the same where it empties into the Mississippi River; thence due east to the middle of the main channel of the Mississippi River; thence down and following the course of the Mississippi River, in the middle of the main channel thereof, to the place of beginning. (3 Stat., 545.)

The act of May 26, 1824, is the one to which I especially wish to call attention, because that is the one which extended the western boundary of the territory of the State of Arkansas 40 miles west:

That the western boundary line of the Territory of Arkansas shall begin at a point 40 miles west of the southwest corner of the State of Missouri, and run south to the right bank of the Red River, and thence down the river and with the Mexican boundary to the line of the State of Louisiana, any law heretofore made to the contrary notwithstanding. (4 Stat., 40.)

This extension was supported in the United States Senate by the distinguished Senator from the State of Missouri, Mr. Benton, and passed that body with very little opposition. Mr. Benton argued that the proper national policy was to make Arkansas strong—make her a first-class State, both for her own sake and that of the Union, and equal to all the exigencies of her advanced and frontier position. In the House the bill was advocated by Mr. Clay, who represented the hardships of the circumstances of the settlers. He said the new Territories were younger daughters of the common federative family and, as such, were entitled to an indulgent policy, and urged the policy of making Arkansas a strong State.

Mr. Conway, the Arkansas Delegate, remonstrated against 40,000 Indians turned in among the settlements of Arkansas to turn out those who had subdued the wilderness and were surrounded with improvements, the fruit of their own labor. He contended that the limits of the Territory should be removed farther to the west, to allow room for these Indians having a separate home from the whites and to give strength to Arkansas as a future frontier State.

This was a wise policy deliberately adopted, and it was a great misfortune to Arkansas when it was abandoned without the consent of her people or Congress.

I now refer to the treaty of Washington, made May 6, 1828, and found on page 311 of the seventh volume of Indian Treaties, which recklessly and unconstitutionally amputated the Territory in question:

ART. 1. The western boundary of Arkansas shall be, and the same is hereby, defined, viz: A line shall be run, commencing on Red River, at the

point where the Eastern Choctaw line strikes said river, and run due north with said line to the river Arkansas, thence in a direct line to the southwest corner of Missouri. (7 Treaties, 311.)

In discussing the binding effect of this treaty, Mr. Benton said:

The proper objects of treaties were international interests, which neither party could regulate by municipal law, and which required a joint consent and a double execution to give it effect. Tried by this test—

Said he—

and this Indian Territory lost its supremacy. The subject was one of ordinary legislation, and especially and exclusively confined to Congress. It was to repeal a law which Congress had made in relation to Territories, and to reverse the disposition which Congress had made of a part of its territory. To Congress it belonged to dispose of territory, and to her it belonged to repeal her own laws.

The law of May 26, 1824, has never been repealed by Congress, unless the treaty of 1828 had that effect. On the question of the expediency of the treaty, Mr. Benton said:

The inexpediency of the treaty was in the question of crippling and mutilating Arkansas, reducing her to the class of weak States, and against all the reasons which had induced Congress for years before to add on 12,000 square miles to her domain, and to almost double the productive and inhabitable capacity of the Territory and future State by the character of the country added. I felt this wrong to Arkansas doubly, both as a neighbor to my own State and because, having a friendship for the Delegate as well as for his Territory, I had exerted myself to obtain the addition which had been thus cut off.

Thus crippled, mutilated, and shorn of a substantial part of her strength in the beginning of her Territorial life, it is not surprising that she has not at all times been "equal to all the exigencies of her advanced and frontier position." When we consider the fact that for eighty years she has had on her entire western border an unorganized Indian Territory, without government or law, and for most of the time the hiding place for criminals from all the States, it is no wonder that she has not increased in wealth and population as fast as other States with less natural resources.

With this unjust and illegal treatment on the part of the treaty-making power of the General Government, the people of Arkansas Territory naturally sought relief from Territorial servitude by securing statehood on any terms she could get it. Under the enabling act of June 15, 1836, she was admitted, but required to accept as her western boundary "the line described in the first article of the treaty between the United States and the Cherokee Nation." The following is the boundary, as described in that act, and which she was compelled to accept or remain a Territory and subject to still further reduction by treaty:

That the State of Arkansas shall be one, and is hereby declared to be one, of the United States of America, and admitted into the Union on an equal footing with the original States in all respects whatever; and the said State shall consist of all the territory included within the following boundaries, to wit: Beginning in the middle of the main channel of the Mississippi River, on the parallel of 36° north latitude; running from thence west with the said parallel of latitude to the St. Francis River; thence up the middle of the main channel of said river to the parallel of 36° 30' north; from thence west to the southwest corner of the State of Missouri; and from thence to be bounded on the west, to the north bank of Red River, by the lines described in the first article of the treaty between the United States and the Cherokee Nation of Indians west of the Mississippi, made and concluded at the city of Washington on the 26th day of May, A. D. 1828, and to be bounded on the south side of Red River by the Mexican boundary line to the northwest corner of the State of Louisiana; thence east with the Louisiana State line to the middle of the main channel of the Mississippi River; thence up the middle of the main channel of the said river to the thirty-sixth degree of north latitude, the point of beginning. (5 Stat., 50.)

Having, however, accepted statehood, with the boundary fixed by the treaty of 1828, the State is estopped from asserting a legal claim to the territory in question. Yet, in view of the unjust and illegal method of wresting it from her, and considering the great injury inflicted upon the State by it, our people feel that they have a stronger and more equitable claim to it than any other State or Territory. They feel that Congress now has the opportunity and that it should right the wrong of 1828. The question of what shall be done with the Indian Territory is now being seriously considered by both branches of Congress. The political status of that country must soon be fixed by Congress. Treaties have been made, which provide for the abrogation of all Indian tribal governments in 1906. Various suggestions have been made for disposing of it. A Territorial government, single statehood for it and Oklahoma, and separate statehood for each, all have advocates, but none appear to satisfy both Congress and the people of the Territory.

I have lived all of my life in a district adjoining the Choctaw Nation, and from some acquaintance with them I am satisfied that a majority of the people of that country would be willing to be attached to Arkansas. The people of Arkansas would be glad to add to their State the whole of the Indian Territory, if in the wisdom of Congress it is thought best not to divide it. But whether the whole or a part is annexed, Arkansas promises the people who may come just and fair treatment under a system of laws not surpassed by any of her sister States.

We invite them to a State free from debt and one that is now entering upon an era of prosperity in agriculture, horticulture, manufacturing, mining, and railroad building unknown in the history of the State. The people of Arkansas are looking to the

future with hope and a resolution that insures success, but I earnestly desire to see her obtain at least the lands that once belonged to her so that she may become what Benton, Clay, and the other great men who aided in bringing her into the Union intended her to be—one of the greatest of the States of this great Union.

Mr. CANNON. How much time remains?

The CHAIRMAN. The gentleman used fourteen minutes of the twenty.

Mr. CANNON. I yield to the gentleman from South Dakota [Mr. BURKE].

Mr. BURKE of South Dakota. There is a bill pending in the House, reported favorably and unanimously by the Committee on Indian Affairs, for the ratification of a treaty with the Rosebud Indians in South Dakota, ceding something over 400,000 acres of land in Gregory County and opening the same to entry and settlement under the provisions of the homestead law. It is a bill of great importance to the people of my State as well as to the Indians, and I hope that it may receive consideration and be passed during the session of this Congress.

The legislature of South Dakota unanimously passed a memorial to Congress urging the passage of this bill, and a copy of the same was transmitted to me by the secretary of state and duly certified, as follows:

STATE OF SOUTH DAKOTA, DEPARTMENT OF STATE,  
Secretary's Office.

UNITED STATES OF AMERICA,  
State of South Dakota:

I, O. C. Berg, secretary of state of the State of South Dakota, do hereby certify that the attached instrument of writing is a true and correct copy of house joint resolution No. 7, passed by the legislature of 1903, as the same appears of record in this office, and of the whole thereof.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of South Dakota. Done at the city of Pierre this 29th day of January, 1903.

[SEAL.]

O. C. BERG, Secretary of State.

A joint resolution by the House and Senate of the eighth legislative assembly of the State of South Dakota memorializing the Congress of the United States to ratify the existing treaty with the Rosebud (Sioux) Indians for a cession of all that portion of their reservation lying in the county of Gregory, S. Dak., and praying that provisions be made for opening said tract to homestead settlement.

Be it resolved by the House of Representatives (the Senate concurring). That whereas one James McLaughlin, a United States Indian inspector, did, on the 14th day of September, anno Domini 1901, make and conclude an agreement with the male adult Indians of the Rosebud Reservation, in the State of South Dakota, for a cession of certain described lands lying and being in Gregory County, S. Dak.; and

Whereas said body of land, comprising approximately 416,000 acres, is reputed to be fertile in soil and rich in all natural resources, needing only settlement and development to transform it into one of the choicest spots of our great State; and

Whereas in its present state the coveted land brings no revenue to the Indians, and they desire to cede it, as evidenced by their treaty; and

Whereas the acquisition of this territory to the taxable area of the State would mean the addition of thousands to our population and the enlargement of Gregory County, which is now so small it can not maintain a county government without an annual deficit, even with an excessive tax levy: Therefore, be it

Resolved, That we, in justice to both the Indians and our State, implore the Congress of the United States to hasten a ratification of the existing treaty and to provide ways and means for the early opening of this splendid body of land to homestead settlement, under such restrictions and conditions as they may deem wise.

The Commercial Club of Bonesteel, in Gregory County, where the land proposed to be opened to settlement is located, adopted resolutions favoring and praying for the passage of the Rosebud bill, which resolutions are herewith submitted.

#### RESOLUTION AND PETITION.

At a regular meeting of the Bonesteel Commercial Club, held on Friday evening, January 23, 1903, the following resolution was introduced and adopted by a unanimous vote:

#### RESOLUTION.

Whereas a treaty entered into by and between the United States and the Rosebud Indians for a cession of all their reservation land lying within the defined limits of Gregory County, S. Dak., is now pending in Congress awaiting a ratification by that body; and

Whereas we know said body of land to be fertile in soil, abundant in water supply, and rich in every natural resource, awaiting only settlement and development to make it one of the choicest portions of our great State; and

Whereas the present area of Gregory County is less than 150,000 acres, making a taxable territory altogether too small to sustain a county government without an excessive tax rate and an annual deficit in revenue; and

Whereas the opening of the land proposed to be ceded to the Government by the Rosebud Indians would enlarge Gregory County to a size contemplated by our State constitution and add thousands to its inhabitants besides materially increasing its assessment valuation; and

Whereas in its present state said tract of land is unused by the Indians and returns to them no profit or revenue, but on the contrary has proven a fruitful field for large stockmen who trespass upon its broad acres with thousands of head of cattle, much to the annoyance of the Indians and detriment to the nutritious grasses growing there; and

Whereas in its unsettled and undeveloped state it is a constant menace to the industrious and ambitious citizens of the settlement adjoining on the south and east by reason of the vast prairie fires that annually sweep across it and because of the rendezvous it affords for thieves and criminals; and

Whereas the existing treaty is fair in all its provisions and offers the Government an opportunity to add a magnificent body of land to its public domain at a minimum price; and

Whereas thousands of people are anxiously awaiting the opening of this tract, and justice to them and the settlement adjoining demands speedy action to that end; and

Whereas it is the judgment of this Commercial Club that opponents to the passage of the pending bill are not fully advised in the premises and are unconscious of the importance of the matter to the Indians and the State of South Dakota, as well as a waiting multitude of people: Therefore, be it

Resolved, That we urge Congressmen BURKE and MARTIN and Senators KITTREDGE and GAMBLE to relax no effort to secure a ratification of said treaty and the passage of a bill opening the land for settlement during the present session of Congress; that they be appealed to to labor, individually and collectively, as well as unceasingly, making any reasonable concessions as to conditions under which the same shall be opened for homestead settlement, in order to secure favorable consideration of the matter during the present Congress; and

Be it further resolved, That in view of the exigency of the situation and the incalculable benefits that will accrue to Gregory County and the entire State by the opening of these lands, that we respectfully request our honored governor, Charles N. Herreid, to go to Washington and lend his best energy and influence toward furthering the passage of the pending bill; and

Be it further resolved, That a copy of these resolutions be sent to Senators KITTREDGE and GAMBLE and Representatives BURKE and MARTIN, and a copy transmitted to the Hon. J. H. Welch, member of the legislature from this district, with a request that he present the same to Governor Herreid and appeal to him to heed its prayer.

We hereby certify that the above and foregoing resolution was unanimously adopted by the Bonesteel Commercial Club at their regular meeting held on Friday evening, January 23, 1903.

ED. HAAKINSON,  
Acting President.

Attest:  
J. D. KELLER,  
Secretary.

Those resolutions were indorsed by about 200 citizens of Gregory County, who signed the following:

"We, the undersigned petitioners, hereby certify that we have read the above resolutions and heartily indorse its sentiment and prayer."

Mr. McRAE. I yield twenty minutes to the gentleman from Pennsylvania [Mr. GREEN].

Mr. GREEN of Pennsylvania. Mr. Chairman, I desire to present to the consideration of this House a matter of importance. It is the proposition as to whether it is not advisable at this time to purchase the Hermann Strecker collection of butterflies and moths, and the library belonging thereto. In introducing this subject I wish to have read by the Clerk, as a part of my remarks, the following communications:

First. A communication from the Secretary of the Treasury.

Second. A communication from the Secretary of the Smithsonian Institution, under whose jurisdiction the National Museum is.

Third. The Report of the Custodian of Lepidoptera of the National Museum.

I think careful attention to the reading of these reports will convince members that this is a matter of importance at the present time, because its acquisition will give to the National Museum a collection of butterflies and moths or lepidoptera greater than any in the Western Hemisphere and equal, perhaps, to any in the world. To-day the collection that the United States owns of this branch of science is small and incomplete, and the scientists of the National Museum testify to the fact that this collection of butterflies, which in itself is the largest in America, will unite with the present collection of that institution and will not only make a first-class collection, but one of the grandest in the world. That is the reason I say to you that it is important.

If the United States does not purchase this collection it will not in a century be able to have another opportunity to purchase a collection of this kind and make the museum collection one of the first in the world. This chance rarely, if ever, occurs. For fifty years this man has gathered his collection together, and if gentlemen of this House will read what the scientists say, I am satisfied they will be convinced that there is great propriety in incorporating into the present sundry civil bill the recommendations of the Secretary of the Treasury and of the people connected with this branch of science in the National Museum.

Mr. RICHARDSON of Tennessee. Where is this collection now?

Mr. GREEN of Pennsylvania. In the city of Reading, Pa. That is the reason, perhaps, why I have been asked by the scientists to present this matter to the consideration of the House.

The Clerk read as follows:

#### COLLECTION OF BUTTERFLIES AND MOTHS OF THE LATE HERMANN STRECKER.

Letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Smithsonian Institution submitting an estimate of appropriation for purchase of the butterflies and moths of the late Hermann Strecker.

June 18, 1902.—Referred to the Committee on Appropriations and ordered to be printed.

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,  
Washington, June 17, 1902.

SIR: I have the honor to transmit herewith, for the consideration of Congress, copy of a communication from the Secretary of the Smithsonian Institution, of the 16th instant, submitting an estimate of appropriation, \$25,000, for the purchase for the National Museum of the collection of butterflies and moths of the late Hermann Strecker, of Reading, Pa., together with his library relating to the same.

Respectfully,

L. M. SHAW,  
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.



SMITHSONIAN INSTITUTION.  
Washington, June 16, 1902.

SIR: My attention has been called to the importance of securing for the National Museum the collection of Lepidoptera (butterflies and moths) of the late Hermann Strecker, of Reading, Pa., together with his library relating specially to these families of insects; and in view of the fact that it is impossible to acquire these from the regular appropriation of \$10,000, provided for the purchase of specimens for the Museum, I respectfully request that the accompanying item be transmitted to Congress for insertion in the bill making appropriations for the fiscal year ending June 30, 1902.

Although the offer of this collection presents an opportunity which should not be lost to the Government, since its acquisition would place the National Museum in the very first rank in this branch of entomological science, it is not my wish that any provision for it shall prejudice what is hoped may be the favorable action of Congress in respect to the items for the Smithsonian bureaus in the sundry civil bill now in conference.

Very respectfully, yours,

S. P. LANGLEY, Secretary.

The SECRETARY OF THE TREASURY,  
Washington, D. C.

ITEM.

For the purchase of the collection of Lepidoptera (butterflies and moths) of the late Hermann Strecker, of Reading, Pa., comprising about 100,000 specimens, together with his library relating to the Lepidoptera. \$25,000

NOTE.—Since the estimates for appropriations for the bureaus under the Smithsonian Institution were transmitted to Congress, the attention of the Institution has been called to the opportunity of securing, for addition to the National Museum, the collection of butterflies and moths brought together by the late Hermann Strecker, of Reading, Pa. The collection, which is now offered for sale for the sum of \$25,000, embodies the results of a lifetime of labor and the expenditure of very considerable sums of money by this eminent specialist. It comprises about 100,000 specimens, all in an excellent state of preservation, and is one of the largest and finest private collections of butterflies and moths in the world. If purchased by the Government it would add materially to the value of this branch of the national collections, since it contains many specimens needed to supply deficiencies in the series, as well as about 400 types of mostly North American species, in many cases rare or obscure. The sum stated in the estimate covers also the purchase of an extensive library relating especially to this department of entomological science and containing many rare volumes, some of them unrepresented in any library at the nation's capital.

This collection of world-wide fame will probably go into private hands or into the custody of some foreign institution unless immediate provision is made by Congress for its purchase. The price asked is a very moderate one, and the acquisition of this valuable material would place the National Museum in the first rank in this branch of science in America.

SMITHSONIAN INSTITUTION,  
Washington, U. S. A., January 13, 1903.

SIR: In my communication to you of the 6th instant I omitted to refer to a special item submitted to Congress, through the Secretary of the Treasury, on June 17, 1902, and printed as House Document No. 667, Fifty-seventh Congress, first session, but on which no action was taken during that session. It relates to the purchase for the National Museum of a collection of Lepidoptera brought together by the late Hermann Strecker, of Reading, Pa., a distinguished entomologist. While the acquisition of this collection is still regarded as of importance, I beg to repeat what was said in my former letter, that it is not my wish that any provision for it shall prejudice what is hoped may be the favorable action of Congress in respect to the items for the Smithsonian bureaus contained in the regular estimates for the sundry civil appropriation bill for 1904.

Very respectfully, yours,

S. P. LANGLEY,  
Secretary.

HON. JOSEPH G. CANNON,  
Chairman Committee on Appropriations,  
United States House of Representatives, Washington, D. C.

Report of custodian of Lepidoptera, United States National Museum, on "The Hermann Strecker collection of butterflies and moths, and library accompanying it."

For the purpose of furnishing accurate information of the subject, I examined the collection in Reading, Pa., December 27, 1902.

The specimens constituting it are particularly adapted for a union with the present collection in the National Museum.

So united the Smithsonian collection would be a credit to the institution, and not only the largest and best in America but one of the greatest in the world.

The United States has an opportunity of purchase which rarely, if ever, presents itself, and for this reason prompt and favorable action is urgent and desirable.

Description of collection.—The collection is remarkable for the perfection of the specimens composing it. The number in any way injured is insignificant, which, from the nature of its insects, is most unusual and shows great care in selection of specimens.

A careful estimate, without counting, places the number of specimens at 100,000. They are contained in eleven cabinets having about 1,000 dust-proof glass-covered drawers or boxes. They are handsomely and substantially mounted, and each specimen is neatly labeled with its name and locality, often with remarks. In many instances, where the under and upper sides differ widely, they are mounted to show both.

The collection could be removed to the National Museum without repacking and without danger of being injured in transportation.

The collection is remarkably full of rare and expensive specimens, especially from the oriental and occidental Tropics, which furnish the most beautiful specimens of Lepidoptera.

The South American States and the West Indies, Mexico, and Central America, as well as Africa with Madagascar, the East Indies and Asia with India, Siam, and the Malacca Peninsula; the Philippine Islands and Australia have contributed many specimens of their brilliant and curious moths and butterflies.

Types.—The collection contains upward of 400 typespecimens—through the description of which by Mr. Strecker the scientific world received its first information of the existence of the species of insects. The British Museum values these type specimens at \$5 apiece more than other specimens of the same kind.

Freaks and aberrations.—It is particularly rich in hermaphrodites, in which

the male and female are combined in a single specimen, and in aberrations differing in color and form from the normal insect. Such specimens are very valuable and rarely ever to be duplicated.

Special specimens.—Quite a number of the specimens came from the noted exploring expeditions, those of Livingstone, Ross, and Peary, and such specimens could not be duplicated.

The *Colias boothii* is from the Ross expedition in search of Sir John Franklin in 1828—only nine specimens are known to exist. But five or six specimens of the *Parnassus acco* are known. Two superb specimens are in the collection; they come from the summit of the Himalaya Mountains, and \$1,000 are said to have been offered for them.

Looking over the catalogues of the largest dealers you will find in this collection many specimens which are not on sale and can not be obtained at all, and you will also find specimens of about all the rare and expensive flies and moths listed, showing this is no common or average, but an exceptional collection.

Largest and best in United States.—Taken by itself the collection, in both quantity and quality, considered the best in the United States.

Edwards collection.—The Edwards collection in the American Museum of Natural History in New York may be compared with it, but many specimens are mutilated and in an inferior condition.

Neumoegen collection.—Another large American collection is the Neumoegen collection in the Brooklyn Institute, which has about 40,000 specimens and was purchased for \$15,000. There are but few other large collections in this country.

Foreign collections.—The European collections are the largest and best in the world. Among them may be mentioned that of the British Museum, the Staudinger at Dresden, the Oberthur at Rennes, France, and the Tring at Tring, England.

A short list taken at random from recollection gives some idea of the character of the more valuable specimens:

	Unobtainable.	Cash value.
Ornithoptera rubidus	1	
Ornithoptera dohertyi, 1 male, \$11.25; 1 female, \$18.25		\$29.50
Ornithoptera magellanus	1	
Ornithoptera miranda, 1 male, \$18.50; 1 female, \$12.50		31.00
Ornithoptera lydia, male, \$50; female, \$40		90.00
Ornithoptera cressus, 3 pairs, at \$23		69.00
Ornithoptera priamus, 3 pairs, at \$16.25		48.75
Ornithoptera posidon	1	
Ornithoptera victorie, 1 male, \$100; 2 females, \$40		140.00
Ornithoptera regis, 1 male		150.00
Ornithoptera titonus, 1 pair		175.00
Ornithoptera trojana		75.00
Ornithoptera paradisea, 2 males	2	
1 female, \$15		15.00
Papilio neumoegeni		25.00
Papilio androcles, at \$10		20.00
Papilio dorcas	1	
1 pair Papilio zagraens, 1 male		8.00
1 female	1	
2 Papilio bachus		20.00
1 Papilio homerus, almost extinct	1	
3 Papilio antimus, at \$30		90.00
1 Prepona buckeliana		30.00
1 Agrias claudius	1	
1 Agrias sardianopolis, at \$20		40.00
2 Agrias amadon, at \$15		30.00
2 Agrias amadon, female	1	
1 Agrias phalcidon		20.00
1 Agrias stuarde	1	
3 Agrias agens, lat \$16.25		48.75
1 drawer of zeuxidia, at \$10, 14 flies		140.00
3 Morpho leucata. (Mr. S. paid \$125 for poorest one in 1901)		375.00
1 Morpho helena	1	
1 Morpho retinor		15.00
1 Cocinera hercules	1	
4 pairs Dynaster napoleon, at \$40		160.00
3 drawers of Papilio turnus. All these flies are rare aberrations or freaks, some being half male and half female; others are half dark and half light. There is also a 5-winged fly.		
2 pairs Armandia litterdali, 2 females	2	
2 males, at \$8.25		16.50
1 pair Papilio blumei		25.00
1 pair Papilio adamantius, 1 male	1	
1 female		7.00
2 pairs Armandi thardinea, 2 females	2	
2 males, at \$7.50		15.00
2 pairs Parnassus actins	4	
1 pair Parnassus charitonius	2	
4 pairs Parnassus romanovi	8	
1 pair Parnassus evermannii, male		15.00
3 males, at \$15		45.00
1 pair Parnassus tibitanus		15.00
1 pair Parnassus poeta	2	
1 pair Acco. (Only 2 in America)		1,000.00
1 Colias boothii. (Only 9 known and has 1)	1	
1 Colias ladikensis	1	
Total	36	2,960.00

Price.—In my opinion the price asked—\$25,000—is reasonable, as it is an average of from 20 to 25 cents a specimen, according to the value put upon the accompanying library and correspondence. Estimating the value of such collections is very difficult, but in a general way I find from an examination of the leading catalogues the average price of specimens which are on sale is from 70 cents to a dollar. Such prices would make this collection worth much more than the price asked. Seventy-five of the specimens are listed at \$2,960. Thirty-six on the small list above can not be bought, and there are no doubt more than can neither be bought nor duplicated.

Library and correspondence.—Accompanying the collection is a library containing nearly 300 volumes treating of the subject, several of which are not found in any of the libraries at Washington, also manuscript letters from noted collectors and others said to number from four to five thousand. The principal works in this library are named below, and when given in the recent catalogues of dealers I have added prices.

## List of books.

Names.	Number of volumes.	Date.	Price.
Canadian Entomologist	32		\$32.00
Walker's British Museum Catalogue of Lepidoptera	35		
Westwood's Arcana Entomologica	2		17.00
Packard's Labrador Coast (author's copy)			
European Butterflies. (Berlin.)		1895	
Papilio	4		8.00
Boisduval's Madagascar Butterflies. (Paris.)		1830	5.00
Natural History of Known Insects (hand painted). (Berlin.)	11	1783	26.00
Boisduval's History of Insects. (Paris.)		1879	
Hagen's List of Entomological Works. (Leipzig.)		1862	3.50
Jardine's Entomological Library	5	1837	
Iris	11	1884	30.00
		1889	
Goeze Treatise on Entomology. (Leipzig.)	5	1777	
Amonitates Academica. (London.)	8	1749	
Fabricius Entomology	6	1794	
Cuvier's Animal Kingdom	4		
American Naturalist			
Lepidoptera of Asia Minor. (St. Petersburg.)	2		
Davenport Academy Proceedings			
Lintner Reports of Entomology. (New York.)	12		
Entomological News	1-10		10.00
Entomological Society of Philadelphia. (Proceedings.)	10		
Buffalo Natural Sciences	3		
Genera Insectorum. (Fabricius.)	12	1779	
Morris Synopsis			
Packard's Guide		1867	
Harris's Injurious Insects. (Flint.)			
Esper's Foreign Butterflies. (Leipzig.)		1780	15.00
Newman Entomological Monthly	7	1857	
		1864	
Butterflies of South Africa. (Trimen, Cape Town.)		1872	
History of Insects. (Philadelphia.)		1865	
Encyclopaedia Methodique, Articles on Lepid. (Paris.)		1819	
Edwards's Butterflies of North America			80.00
Descriptive Catalogue of Lepidoptera of India. (East Ind. Co.)		1850	
Lederer Noctuidæ of Europe. (Vienna.)		1857	
Cotton Insects		1878	
Glover's North American Entomology	6		
Standinger's Exotic Butterflies. (Bayern.)		1892	35.00
Seba's Natural History. (Amsterdam.)	4	1834	
		1862	
		1866	
		1868	90.00
Felder's Lepidoptera. (Frigate Novaisa.)	2	1804	
Romanoff Memoirs of Lepidoptera. (St. Petersburg.)	9	1897	93.00
A. C. Wilhelm	2	1797	

Respectfully submitted.

HARRISON G. DYAR,  
Custodian of Lepidoptera, U. S. National Museum.

JANUARY 19, 1903.

Mr. GREEN of Pennsylvania. Mr. Chairman, gentlemen who have listened to the report of the custodian of lepidoptera will see that he has gone into the matter of the examination of this collection with a great deal of care, and presents his views, which I suppose we must all defer to, as this is his specialty, not only as to the price of the collection, its character and compass, but as well that of the library connected with it.

I wish to emphasize his statement in two matters. One is that this is an opportunity that perhaps will never occur again to the United States to purchase a collection of this character.

Second, that if this collection is purchased it will make the department of lepidoptera in the National Museum better than any in the United States, and one of the finest in the world.

A few words on the history of this celebrated collection. Hermann Strecker, one of the most distinguished entomologists of the world, lived, and about two years ago died, in the city of Reading, Pa. For fifty years all his leisure time was spent in studying, collecting, and mounting butterflies and moths. Every dollar earned during these years, except so much as was required for the support of himself and small family in the most modest way, was invested in this collection. Before he died two of his desires with regard to the great collection representing the labor of his lifetime were:

First. That it should be preserved as a whole and not dismembered.

Second. That it should be disposed of to some great scientific institution, preferably the United States National Museum.

In deference to these two wishes of the distinguished scientist, this collection has been offered to the United States.

The price asked for it is admittedly small compared with its real value. From the statements made in the report above set forth it is worth twice or three times the amount asked.

It could be parceled out among collectors and a far greater amount of money realized than that asked for the collection entire.

Upward of 400 types or specimens from which the original descriptions known to the scientific world were taken are in this collection. For these the British Museum has a standing offer of a guinea apiece beyond the actual value of the specimens. This alone would amount to nearly \$2,000. They could not be labeled for a like amount. Mr. Strecker bought the rarest specimens of each group, and comparing the specimens of his collection with the catalogues you find he has secured the rarest and most expensive flies. Many can never be duplicated.

This collection belongs in the National Museum, and Congress should not leave the opportunity slip by of purchasing it. It would be a great ornament as well as of great utility there, as well as in direct line with the recommendations of President Roosevelt.

## THE NATIONAL MUSEUM.

The President, judging from the recommendations contained in both his messages, seems to have an entirely different idea of the utility of the functions of this great institution than that entertained by the Appropriation Committee of this body.

In the message of December 3, 1901, we find the following:

The advancement of the highest interests of national science and learning and the custody of objects of art and of the valuable results of scientific expeditions conducted by the United States have been committed to the Smithsonian Institution. In furtherance of its declared purpose—for the "increase and diffusion of knowledge among men"—the Congress has from time to time given it other important functions. Such trusts have been executed by the institution with notable fidelity. There should be no halt in the work of the institution, in accordance with the plans which its Secretary has presented, for the preservation of the vanishing races of great North American animals in the National Zoological Park. The urgent needs of the National Museum are recommended to the favorable consideration of the Congress.

Again, in his second message, of December 2, 1902, we find the following:

I again recommend to the favorable consideration of the Congress the plans of the Smithsonian Institution for making the museum under its charge worthy of the nation, and for preserving at the National Capital not only records of the vanishing races of men but of the animals of this continent, which, like the buffalo, will soon become extinct unless specimens from which their representatives may be renewed are sought in their native regions and maintained there in safety.

The speech made this afternoon by the gentleman from Massachusetts [Mr. GILLET], a member of the House Appropriations Committee, voices the views of the controlling spirits of that committee, which I was, to my astonishment, first made aware of when I presented the report of the custodian of entomology, above referred to, and made a few remarks on the desirability of the purchase of this collection.

The first interrogation put to me by the chairman was as follows: Of what use is a collection of this kind to the Museum; they can not be eaten or worn; of what earthly use are they?

Following such a strictly utilitarian measure of any collection which would be desirable to be placed in this great institution, it will be many years before the hopes of the President and the people, that of making the Museum worthy of the nation, will be realized, if ever.

The British Museum was never founded and built up upon any such narrow ideas, nor that of any other great national scientific institution.

The great nations of the world are expected to furnish to the scientific world through their great collections of specimens in every department of science—collections great and expensive beyond the means of the scientist and the private scientific institution—knowledge which could not have been procured in any other way.

Every great nation has its great collections and collectors, and the United States has not in the past and must not in the future be an exception to this rule.

As in everything else, it must be in the very front rank of scientific investigation, and no opportunity should be lost to place it there.

Mr. McRAE. I yield twenty minutes to the gentleman from Arizona.

Mr. GREEN of Pennsylvania. I ask unanimous consent to extend my remarks in the RECORD. I would like to have an extension of time.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

[Mr. SMITH of Arizona addressed the committee. See Appendix.]

Mr. McRAE. Mr. Chairman, I yield ten minutes to the gentleman from Missouri [Mr. DE ARMOND].

Mr. DE ARMOND. Mr. Chairman, as I listened to the eloquent and instructive remarks of the chairman of the committee reporting this bill [Mr. CANNON], and followed him in happy reverie as he went over his review of the history of the country,



marking its growth and progress, I thought how, notwithstanding the country has grown rapidly, marvelously, the growth of appropriations has outstripped the growth of the country; that extravagance, as marked by legislative action, has been even more rapid in its progress, more phenomenal in its achievements, than the growth of the country itself. And, Mr. Chairman, I could not help thinking while contemplating the picture painted by the eloquent gentleman from Illinois—and a very interesting picture it was, too, and is—how we may in the near future have to deal with other things calling upon the Treasury of the country and swelling tremendously the appropriations made by Congress.

This suggestion comes in part from a somewhat remarkable bill introduced at the other end of the Capitol, one having somewhat remarkable objects in view. I refer to the bill for pensioning the slaves, the black men and the black women of the South. This bill provides that every person, man or woman, who was a slave and has attained the age of 70 years shall be given upon its passage \$500 and a pension of \$15 a month so long as he or she shall live after that time; that those over 60 and not having attained the age of 70 shall be given \$300 and pensioned at \$12 a month; that those over 50 and under 60 shall have \$100 and a pension of \$8 a month, and that those who, perhaps, were infants in arms during the time of the war, those under 50, shall have a pension of \$4 a month.

I do not know whether this bill is going to pass: I do not know whether it was designed or expected that it should pass. It is a curious piece, however, in the study of the passing drama of statesmanship and politics. It is rather a seductive picture held out for the black brother, North or South. It has attachments, too, that will reach not only the colored brother, but ought, if it were made a law, to be beneficial to some of those who hurried and scurried South shortly after the war and associated themselves, for purposes of their own, very greatly to their own profit and very greatly to the injury of the communities in which they dwelt, with the colored brother. There are vague passages in the bill under which and by which those who have "supported" the colored brother might get the pension in place of the colored brother. [Laughter.] I think they will not only take in the child who may have properly supported an aged father or an aged mother, but I believe the bill can be so expanded and so applied that it will take in these gentlemen—the carpetbaggers—who, in political association in the South, have, perhaps, not strictly supported the colored brother, but who claim they have supported him, and who certainly were supported by him. [Laughter.]

Possibly this bill is of more value as a piece of political maneuvering than as a piece of prospective legislation. It carries with it, it seems to me, to the broad nostrils in black the pleasant aroma of the barbecue, borne upon the swift breezes of anticipation. It carries with it the suggestion that our Uncle Samuel is not merely going to kill the fatted calf in order to afford a feast for his black children, but that he is going to slaughter the choicest of his flocks and herds. In this anticipation, in this pleasant looking forward, in this delightful sniffing of the breeze which bears in anticipation and in imagination the odor and flavor of this barbecued meat there appears to be something political. It seems to me that in comparison the "glad hand" is not in it. [Laughter.]

And then, what, in the estimation of the colored brother, is the pleasant smile in the drawing-room as against baked 'possum and taters in the kitchen? [Laughter.]

Of course the gentleman who introduced this bill, as we understand upon his own authority, is not and will not be a candidate for the Presidency. We understand upon the same authority, however, that there are no trusts; and so, putting the one statement with the other statement and drawing our own conclusions, we may wonder whether or not a certain play for the favor of the colored brother has not been met, and more than met, by another play for the favor of the same colored gentlemen. We know that when it comes to the nomination of a Presidential candidate by at least one of the great parties of this country the colored delegate is a very important factor—a factor to be played for, a factor to be dealt with, a factor to be bargained for; and there is nothing like making preparation in good time, so that the yearning of the colored brother may be directed in the proper channel, so that the colored brother may look to the proper source for relief and benefit when, in good time, his friends come into control. Of course, his friends have been in control for a great many years, but so far he has been living very largely upon promises.

Now, the old promise, the old suggestion of 40 acres and a mule, is entirely discounted, is out of sight and belittled, in view of the present promise of \$500 and a pension of \$15 a month.

I do not know how this is going to come out. I do not know what it is going to result in, but it does appear to me that upon the political checkerboard, where there seem to be rather more of

the colored spots than is usual in the forming of checkerboards, a very interesting play is going on. Those of us who are not in the game, those of us who are not particularly interested in the result of the game, can watch it; and meantime, as we hear disclaimers from this source and that, we can put those disclaimers side by side with others and form our own conclusions as to what they are worth.

From one point of view, not of course from the political point, where, I judge, it appears very practical, but from certain points of view all this would seem to be almost farcical. But even these farces sometimes have a solemn side, and I can imagine how the old negroes of the South, male and female, will now be the prey of the sharks who, in order to "promote" legislation, in order to bring in the millennium, in order to hasten the coming of the good time promised in this bill—promised also otherwise and in other ways—will give up their small earnings from their scanty hoards, and then in their time of want will do as they have been doing these many years, as they long since learned to do, and as they long will do—turn to their natural and best friends, the white people of the South, for substantial relief, entirely free from the politician's frills and furbelows, which are designed simply to catch the colored voter and not to help him. [Applause on the Democratic side.]

Mr. McRAE. The gentleman may proceed with the reading of his bill.

Mr. CANNON. I wish to say a word and then we can proceed with the reading of the bill. I always listen to the gentleman from Missouri [Mr. DE ARMOND] with great pleasure. He can construct better sentences in colder blood than any man of my acquaintance, and I have listened this time with great pleasure to him while he talked about a bill that the newspapers state was introduced by request. I have never seen the bill. There is lots of that kind of thing done. It is substantially equivalent to a petition. The right of petition, the right of hearing, runs to all the citizens, great and small, wise and unwise, sane people and cranks. They have the right of hearing and petition, and the right to ask bills to be presented; but it is not necessary for me to refer to that.

While the gentleman was talking, it did seem to me that if he would listen to an exhortation that the gentleman and myself have heard the like of many times, of the importance of repentance and of individual forgiveness before one could be saved, and before one was entitled to be an evangelist, that possibly he would first have addressed himself to the beautiful condition that is to be found in the opposition party. I was going to say the Democratic party, but I would have to apologize to Cleveland and Olney and Hill and Bryan, and all the hosts, you know; not so many but what they are in a very decided minority. So I will not say Democratic party, because I would have them all bowing, you know, looking different ways. [Laughter.] I think the gentleman might first set his own house in order, before he goes off to chasing a will-o'-the-wisp and saying it belongs to other folks.

I am now ready to have the bill read.

Mr. RICHARDSON of Tennessee. Will the gentleman yield for a moment?

Mr. CANNON. Certainly.

Mr. RICHARDSON of Tennessee. To be serious about the matter.

Mr. CANNON. Yes.

Mr. RICHARDSON of Tennessee. The gentleman may not know that at this very moment companies are being formed and circulars are being sent out through the South, inviting the poor, ignorant colored people there to send their contributions to designing men who are seeking to build up fortunes out of this proposition; and I think the gentleman ought to join with us in saying, in order that the colored people of the South may not be misled and robbed, that there is no reason now why they should be sending their quarters and 50-cent pieces and dollars to any company or any combination of men anywhere with the expectation of advancing their chances to get pensions. I will say to the gentleman that that is being done now.

Mr. CANNON. My friend talks seriously about the matter. I was answering the gentleman from Missouri [Mr. DE ARMOND], who never lets an opportunity pass or an assault upon an opportunity to say what he has to say. But now, seriously, in reply to the gentleman, to every citizen of the Republic, rich or poor, black or white, ignorant or cultured, there is but one great guaranty that runs to each and all, and that is equality before the law, equality of opportunity, protection in person and property, and then each unit to work out his own salvation. [Applause.]

Mr. DE ARMOND. Mr. Chairman—

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Missouri?

Mr. CANNON. I always do.

Mr. DE ARMOND. I wish to repeat the suggestion made by the gentleman from Tennessee and the question which he asked—that is, whether the gentleman from Illinois is willing to join in the assurance suggested by the gentleman from Tennessee that these poor colored people in the South had better keep their money instead of frittering it away upon this pension bill—that as a matter of fact it is not intended seriously to pass the bill which has been introduced. If the gentleman can give that assurance, it may be worth a good deal to these poor colored people. If, upon the other hand, this legislation is likely to be enacted, it will perhaps be a source of great comfort to have that assurance from one so high in authority as he is. [Applause on the Democratic side.]

Mr. CANNON. The gentleman from Tennessee was in earnest. Mr. DE ARMOND. I am in earnest, too. [Laughter on the Democratic side.]

Mr. CANNON. I am glad to be assured that the gentleman from Missouri is in earnest, for he himself hath said it. [Laughter.]

Mr. DE ARMOND. This matter raised by the gentleman from Tennessee, suggesting that the colored people of the South are now being fleeced out of their hard earnings and scanty hoard in order that some adventurers may be enriched, has nothing of levity about it. I do not think of anything more serious, and I do not see how the gentleman from Illinois can consider it as anything else than a decidedly serious matter. I think that the gentleman from Illinois might say something which might preserve maybe hundreds, maybe thousands, or tens of thousands of dollars for these poor people of what they can not afford to give away for nothing, and prevent a large number of adventurers from getting that for which they do nothing. If the gentleman has anything to say, I hope he will say it.

Mr. CANNON. Now, then, the gentleman, I understand, speaks of the matter seriously, and if necessary I will further seriously answer. As an individual Representative, and that is merely my best judgment, and as standing for my own action, along with other private Representatives who agree with me, I supposed that in reply to the gentleman from Tennessee, I had been entirely frank and had covered the ground. But it seems that I have given an answer even my very good friend from Missouri can not understand, and perchance some poor ignorant citizen with a black skin may be as unable to understand as my good friend from Missouri. [Laughter.] I say to him, courteously and in all candor, that in my judgment no such bill will pass; and if there be adventurers that would swindle the colored citizen, all things ought to be done by their brethren that surround them and citizens elsewhere that would instruct them to the contrary. It is known that swindling goes on in all our cities, North and South; the sharper and even the swindler is there, and once in a while even people that belong to the Anglo-Saxon race are swindled. I do not know that I can say anything in addition to what I have said. [Applause.]

The CHAIRMAN. The time of the gentleman from Missouri has expired.

The Clerk read as follows:

Greensboro, N. C., court-house, post-office, etc.: For completion of extension under present limit, \$41,650.

Mr. CANNON. I offer the following amendment.  
The Clerk read as follows:

On page 9, after line 21, insert the following:

"Rental of temporary quarters for the accommodation of certain Government officials at Greensboro, N. C., and for expenses incidental thereto, \$3,000."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois.

The question was taken; and the amendment was agreed to.

The Clerk read as follows:

Holyoke, Mass., post-office: For continuation of building under present limit, \$33,750.

Mr. CANNON. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

On page 10, after line 16, insert:

"For the complete establishment of an immigrant station, and the erection of the necessary buildings at Honolulu, Hawaii, on land owned by the Government, adjoining the wharf known as Channel Wharf, and for each and every purpose connected therewith and necessary to complete said station in all of its details within the sum hereby appropriated, \$30,000."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois.

The question was taken; and the amendment was agreed to.

The Clerk read as follows:

Los Angeles, Cal., rent of buildings: For rental of temporary quarters for the accommodation of certain Government officials and all expenses incidental thereto, and for electric current for power purposes, \$9,700.

#### MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. GILLET of Massachusetts having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had further disagreed to the amendments of the House of Representatives to the bill (S. 4825) to provide for a union railroad station in the District of Columbia, and for other purposes, numbered 39 and 41, and so much of amendment numbered 57 as relates to the striking out of section 13 of the bill and the substitution of matter in lieu thereof, had agreed to the further conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. GALLINGER, Mr. DILLINGHAM, and Mr. MARTIN as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 149) to provide for holding terms of court in the district of Utah.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4825) to provide for a union railroad station in the District of Columbia, and for other purposes.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 7659) to amend sections 5191 and 5192 of the Revised Statutes of the United States, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. ALLISON, Mr. ALDRICH, and Mr. JONES of Arkansas as the conferees on the part of the Senate.

The message also announced that the Senate had insisted upon its amendment to the bill (H. R. 15659) granting a pension to Elise Sigel, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. GALLINGER, Mr. FOSTER of Washington, and Mr. TURNER as the conferees on the part of the Senate.

#### SUNDRY CIVIL APPROPRIATION BILL.

The committee resumed its session.

Mr. RUSSELL. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Insert in line 15, page 13, after the word "dollars," the following:

"For the erection and completion of an addition to the public building at Tyler, Tex., the sum of \$25,000."

Mr. CANNON. Mr. Chairman, I will have to make the point of order that it is not authorized.

Mr. RUSSELL. Will not the gentleman reserve the point of order and let me make this statement?

Mr. CANNON. Certainly.

Mr. RUSSELL. Mr. Chairman, a very great public necessity at Tyler, Tex., has suggested the amendment which I have just sent to the Clerk's desk. The public building at Tyler, Tex., was erected some twelve or fifteen years ago. Since that time there has been a very great increase in the public business there. The building was originally constructed to accommodate the post-office and Federal court at Tyler. It was sufficient at that time to meet the purposes for which it was then erected. Since that time the necessity for this amendment has been made manifest by the increase of public business, which has resulted not only from the development of the country, but from new legislation from Congress. A very large amount of the court business of eastern Texas is returnable to Tyler. The establishment of rural-delivery routes has very greatly increased the postal service to be performed there.

The rapid settlement of eastern Texas gives promise of a phenomenal development, at least, in the postal service, which will justify the adoption of the present amendment. I have received letters from the custodian of the public building at Tyler, from the district attorney of the district in which that town is situated, from the deputy marshal of the Federal court there, and from other Federal officials conversant with the facts, which justify me in making the statement that the present building needs an addition to make it sufficient for the public uses. If the point of order suggested by the distinguished chairman of the Appropriations Committee shall prevail, I shall feel myself justified in offering this amendment at every opportunity presented during the life of this Congress.

Mr. CANNON. Mr. Chairman, I do not controvert the statement of the gentleman from Texas at all. It may be a very apt and appropriate measure, and I presume it is, but we have so many public buildings here to be provided for that I am compelled to insist on the point of order.



Mr. RUSSELL. I ask unanimous consent that the matter may be passed over until I can present more data.

The CHAIRMAN. The amendment has been ruled out of order and there is nothing more to pass upon.

The Clerk read as follows:

Waco, Tex., court-house and post-office: For completion of extension under present limit, \$75,000.

Mr. CANNON. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

On page 20, after line 9, insert the following: "For rental of temporary quarters for the accommodation of certain Government officials at Waco, Tex., and for expenses incidental thereto, \$5,000."

The amendment was agreed to.

The Clerk read as follows:

Yerba Buena Island, California: For construction of an oil house at Yerba Buena Island, \$8,000.

Mr. KAHN. Mr. Chairman, I offer the following amendment:

Insert after line 2, page 25, the following:

"Fog bell and lens-lantern light on the southeastern end of Southampton Shoal, San Francisco Bay, California: For establishing on the southeastern end of Southampton Shoal, San Francisco Bay, California, a fog bell and lens-lantern light, \$30,000."

Mr. CANNON. Mr. Chairman, reserving the point of order, I think that legislation has been provided for.

Mr. KAHN. The bill has been signed by the President. This is in compliance with that bill.

Mr. CANNON. As I understand, this is in compliance with the law.

Mr. MADDOX rose.

The CHAIRMAN. For what purpose does the gentleman from Georgia rise?

Mr. MADDOX. I want to inquire if the gentleman from Illinois has withdrawn his point of order?

Mr. CANNON. No; I reserved the point of order for the purpose of ascertaining whether this was subject to a point of order. I asked the gentleman from California whether the legislation has been enacted. He says it has passed both Houses and has been signed by the President at this session of Congress. So, if that be true, no point of order would lie. I have some familiarity with the merit of this matter and I know that it is meritorious and appropriate, and if it has been authorized I have nothing further to say.

The amendment was considered, and agreed to.

Mr. PEARRE. Mr. Chairman, I ask unanimous consent to return to page 22, line 16, for the purpose of submitting an amendment to which I would like to call the attention of the chairman of the committee.

Mr. CANNON. Well, it is 5 o'clock.

Mr. PEARRE. I want to say to the gentleman that this is a very important matter, to which I called his attention a day or two ago, and since then I have received additional information.

Mr. CANNON. What does the item relate to?

Mr. PEARRE. The condition of the subtreasury in Baltimore city, where they have not room to transact their business.

Mr. CANNON. Well, we can take that up to-morrow. I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. GILLET of Massachusetts having taken the chair as Speaker pro tempore, Mr. TAWNEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 17202, the sundry civil appropriation bill, and had come to no resolution thereon.

#### ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 11596. An act granting an increase of pension to Inez L. Clift;

H. R. 12410. An act granting an increase of pension to Mary Nichols;

H. R. 14251. An act granting an increase of pension to Hugh J. Reynolds;

H. R. 14897. An act granting an increase of pension to Phillip Mooney;

H. R. 13088. An act granting an increase of pension to Hiram D. Deming;

H. R. 14391. An act granting an increase of pension to Edward Walsh;

H. R. 6889. An act granting an increase of pension to Michael Rader;

H. R. 16053. An act granting an increase of pension to Henry P. Reynolds;

H. R. 16358. An act granting an increase of pension to Benjamin W. Walker;

H. R. 714. An act granting an increase of pension to Frederick Hart;

H. R. 11417. An act granting an increase of pension to Julia Anglada;

H. R. 16217. An act granting an increase of pension to Julia E. Jones;

H. R. 1482. An act granting an increase of pension to John A. Smith;

H. R. 16591. An act granting an increase of pension to James Mattingly;

H. R. 1377. An act granting an increase of pension to Bridget Agnes Tridel;

H. R. 10953. An act granting an increase of pension to John A. M. Seitz;

H. R. 16272. An act granting an increase of pension to Enoch Dodd;

H. R. 2473. An act granting an increase of pension to James Billingsley;

H. R. 14604. An act granting an increase of pension to Asa C. Hill;

H. R. 15473. An act granting an increase of pension to Winthrop W. Walcott;

H. R. 3516. An act granting an increase of pension to Ozra F. Cheney;

H. R. 3569. An act granting an increase of pension to Joseph A. Buckholz;

H. R. 16153. An act granting an increase of pension to George W. Choate;

H. R. 15437. An act granting an increase of pension to Sarah A. Gerry;

H. R. 15438. An act granting an increase of pension to Thomas E. Peabody;

H. R. 1639. An act granting an increase of pension to Hiram S. Thompson;

H. R. 7012. An act granting an increase of pension to Abel Fleming;

H. R. 15300. An act granting a pension to Delania Preston;

H. R. 15206. An act granting a pension to Mary P. Everton;

H. R. 15870. An act granting an increase of pension to John Smith;

H. R. 15673. An act granting a pension to Annie E. Doss;

H. R. 14605. An act granting an increase of pension to John S. Knoop;

H. R. 4807. An act granting an increase of pension to Thomas Parfitt;

H. R. 13826. An act granting an increase of pension to Francis N. Bonneau;

H. R. 16465. An act granting an increase of pension to William H. Knepple;

H. R. 11790. An act granting an increase of pension to Abel Woods;

H. R. 15572. An act granting a pension to Charles W. Bracken;

H. R. 5167. An act granting an increase of pension to John J. Nowman;

H. R. 7334. An act granting an increase of pension to Ira L. Evans;

H. R. 16269. An act granting an increase of pension to Annie W. Coit;

H. R. 15571. An act granting an increase of pension to John Macfarlane;

H. R. 13297. An act granting a pension to Martin Greeley;

H. R. 4059. An act granting an increase of pension to Julia A. Cook;

H. R. 14789. An act granting an increase of pension to David Brobst;

H. R. 9950. An act granting an increase of pension to Moses Whitcomb;

H. R. 15064. An act granting an increase of pension to Frederick Shovar;

H. R. 15421. An act granting an increase of pension to Elizabeth Palmer;

H. R. 15439. An act granting an increase of pension to John P. Chisler;

H. R. 14388. An act granting an increase of pension to Graham McClosson;

H. R. 5460. An act granting an increase of pension to Thomas Sherry;

H. R. 1929. An act granting an increase of pension to Peter Tuper;

H. R. 14120. An act granting an increase of pension to Sarah A. Leopard;

H. R. 16602. An act to extend the time granted to the Muscle Shoals Power Company by an act approved March 3, 1899, within

which to commence and complete the work authorized in the said act to be done by said company, and for other purposes;

H. R. 11127. An act for the relief of the Propeller Tow Boat Company, of Savannah; and

H. R. 16334. An act fixing terms of United States courts in Colorado, and for other purposes.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 3287. An act to fix the salaries of certain judges of the United States.

#### MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States, by Mr. BARNES, one of his secretaries, announced that the President had approved and signed bills of the following titles:

On February 9, 1903:

H. R. 288. An act for the relief of the Christian Church, of Henderson, Ky.;

H. R. 647. An act for the relief of William P. Marshall;

H. R. 16330. An act to detach the county of Dimmit from the southern judicial district of Texas and to attach it to the western judicial district of Texas;

H. R. 16651. An act to fix the time for holding the United States district and circuit courts in the northern and middle districts of Alabama; and

H. R. 16604. An act making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1904.

On February 10, 1903:

H. R. 9503. An act to authorize the Oklahoma City and Western Railroad Company to construct and operate a railway through the Fort Sill Military Reservation, and for other purposes.

#### SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 6048. An act granting a pension to Lillian G. Elkins—to the Committee on Pensions.

S. 4922. An act granting an increase of pension to Andrew C. Smith—to the Committee on Invalid Pensions.

S. 5219. An act to grant an honorable discharge from the military service to Robert C. Gregg—to the Committee on Military Affairs.

S. 3638. An act for the extension of Eighth street NW., or Wrights road, District of Columbia—to the Committee on the District of Columbia.

S. 6848. An act to establish a life-saving station at Cape Nome, Alaska—to the Committee on Interstate and Foreign Commerce.

S. 7186. An act granting a pension to Mary C. Couch—to the Committee on Invalid Pensions.

#### MEMORIAL SERVICES ON THE LATE REPRESENTATIVE MOODY.

Mr. KLUTTZ. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution I send to the Clerk's desk. The Clerk read as follows:

Resolved, That when the House meets on Sunday, February 22, 1903, it shall consider resolutions memorial of the life and public services of Hon. JAMES M. MOODY, late a Representative from the Ninth Congressional district of North Carolina.

The SPEAKER pro tempore. The gentleman from North Carolina asks unanimous consent for the present consideration of the resolution. Is there objection?

There was no objection.

The resolution was agreed to.

#### CHANGE OF REFERENCE.

By unanimous consent, the following change of reference was made:

S. 4908. An act to incorporate the American Academy in Rome—from the Committee on Foreign Affairs to the Committee on the Library.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. HILDEBRANT, for one week, on account of important business.

And then, on motion of Mr. PAYNE (at 5 o'clock and 5 minutes p. m.), the House adjourned until to-morrow at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting, with a favorable recommendation, a letter from the chief of division, Revenue-Cutter Service, relating to new revenue cutters—to the Committee on Interstate and Foreign Commerce, and ordered to be printed.

A letter from the Secretary of State, transmitting a communication from Mr. Samuel J. Barrows submitting a report on the International Prison Congress of 1900—to the Committee on the Judiciary, and ordered to be printed.

A letter from the Secretary of State, transmitting a copy of a communication from Mr. S. J. Barrows submitting a report relating to the prison systems of Europe—to the Committee on the Judiciary, and ordered to be printed.

A letter from the Secretary of the Interior, transmitting report on the determination of the intersection of the true one-hundredth meridian with Red River—to the Committee on the Public Lands, and ordered to be printed.

A letter from the Secretary of the Interior, transmitting a draft of a proposed law relating to transcripts of land records—to the Committee on the Public Lands, and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. JOY, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 16139) to authorize the Norfolk and Western Railway Company to bridge the Tug Fork of Big Sandy River at certain points where the same forms the boundary line between the States of West Virginia and Kentucky, reported the same with amendments, accompanied by a report (No. 3697); which said bill and report were referred to the House Calendar.

Mr. PAYNE, from the Committee on Ways and Means, to which was referred the bill of the House (H. R. 16885) to extend to the port of Niagara Falls, N. Y., the privileges of the act approved June 10, 1880, governing the immediate transportation of dutiable merchandise without appraisement, reported the same without amendment, accompanied by a report (No. 3698); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. JOY, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 17155) to authorize the Pittsburg, Carnegie and Western Railroad Company to construct, maintain, and operate a bridge across the Allegheny River, reported the same with amendments, accompanied by a report (No. 3699); which said bill and report were referred to the House Calendar.

Mr. LOVERING, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 7043) to establish a light-house depot for the Second light-house district, Boston Harbor, Massachusetts, reported the same with amendment, accompanied by a report (No. 3700); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MANN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 17149) to authorize the board of commissioners of the Connecticut River bridge and highway district to construct a bridge across the Connecticut River at Hartford, in the State of Connecticut, reported the same with amendment, accompanied by a report (No. 3701); which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 6973) authorizing the city of Nome, a municipal corporation organized and existing under chapter 21, title 3, of an act of Congress, approved June 6, 1900, entitled "An act making further provision for a civil government for Alaska, and for other purposes," to construct a free bridge across the Snake River at Nome City, in the Territory of Alaska, reported the same without amendment, accompanied by a report (No. 3702); which said bill and report were referred to the House Calendar.

Mr. BURKE of South Dakota, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 16280) to open for settlement 505,000 acres of land in the Kiowa, Comanche, and Apache Indian reservations in Oklahoma Territory, submitted the views of the minority, to accompany report (No. 3661, part 2); which said views were referred to the Committee of the whole House on the state of the the Union.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. CROWLEY, from the Committee on Invalid Pensions, to



which was referred the bill of the Senate (S. 3020) granting an increase of pension to Eliza E. Littlefield, reported the same without amendment, accompanied by a report (No. 3684); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 6143) granting an increase of pension to Elvira C. Compton, reported the same without amendment, accompanied by a report (No. 3685); which said bill and report were referred to the Private Calendar.

Mr. LOUDENSLAGER, from the Committee on Pensions, to which was referred the bill of the Senate (S. 4443) granting an increase of pension to Thomas Bassett, reported the same with amendment, accompanied by a report (No. 3686); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 5929) granting a pension to Margaret J. McCranie, reported the same without amendment, accompanied by a report (No. 3687); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 6394) granting a pension to Everts Ewing Munn, reported the same without amendment, accompanied by a report (No. 3688); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 7145) granting an increase of pension to Rosetta E. Rafferty, reported the same without amendment, accompanied by a report (No. 3689); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 7207) granting an increase of pension to May Mosher Chase, reported the same with amendment, accompanied by a report (No. 3690); which said bill and report were referred to the Private Calendar.

Mr. WHITE, from the Committee on Pensions, to which was referred the bill of the House (H. R. 14032) granting a pension to Gustav Jansen, reported the same with amendments, accompanied by a report (No. 3691); which said bill and report were referred to the Private Calendar.

Mr. PATTERSON, of Pennsylvania, from the Committee on Pensions, to which was referred the bill of the House (H. R. 11546) granting a pension to Edward Bryan, reported the same with amendments, accompanied by a report (No. 3692); which said bill and report were referred to the Private Calendar.

Mr. LOUDENSLAGER, from the Committee on Pensions, to which was referred the bill of the House (H. R. 16212) granting an increase of pension to Sanders W. Johnston, reported the same with amendment, accompanied by a report (No. 3693); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 12090) granting a pension to Arvilla N. Stocker, reported the same with amendment, accompanied by a report (No. 3694); which said bill and report were referred to the Private Calendar.

Mr. BURGESS, from the Committee on Pensions, to which was referred the bill of the House (H. R. 15573) granting a pension to Cynthia Thomas, reported the same with amendments, accompanied by a report (No. 3695); which said bill and report were referred to the Private Calendar.

Mr. SHERMAN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 11851) granting a life-saving medal to Hugh F. Doherty, reported the same without amendment, accompanied by a report (No. 3696); which said bill and report were referred to the Private Calendar.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred, as follows:

By Mr. PUGSLEY: A bill (H. R. 17355) providing for the issue and circulation of a supplementary currency and for the deposit of public moneys with national banking associations—to the Committee on Banking and Currency.

By Mr. BELLAMY: A bill (H. R. 17356) for the erection of an equestrian statue to the memory of Maj. Gen. Robert Howe at Wilmington, N. C.—to the Committee on the Library.

By Mr. MOON (by request): A bill (H. R. 17357) recognizing the military service of and giving pensionable status, under all pension laws of the United States, to persons serving under United States officers as home guards, militia, or other provisional troops during the civil war—to the Committee on Invalid Pensions.

By Mr. BURKE of South Dakota: A bill (H. R. 17358) to authorize the construction of a bridge across the Missouri River between the city of Chamberlain, in Brule County, and Lyman County, in the State of South Dakota—to the Committee on Interstate and Foreign Commerce.

By Mr. DE ARMOND: A joint resolution (H. J. Res. 267) to provide for the publication of the military laws of the United States—to the Committee on Printing.

By Mr. FLYNN: A joint resolution (H. J. Res. 268) for the appointment of a public lands commission—to the Committee on the Public Lands.

By Mr. MOODY: A resolution (H. Res. 438) calling on the Secretary of War for certain reports—to the Committee on Rivers and Harbors.

By Mr. BULL: A resolution (H. Res. 439) for the relief of Elizabeth Norris, widow of Eppa Norris, late an employee of the House—to the Committee on Accounts.

By Mr. BLAKENEY: A resolution (H. Res. 440) providing for payment to Louis Trischmann for extra services rendered during the Fifty-seventh Congress—to the Committee on Accounts.

By Mr. CANNON: A resolution (H. Res. 441) relating to an amendment to H. R. 17202—to the Committee on Rules.

Also, a resolution (H. Res. 442) relating to an amendment to H. R. 17202—to the Committee on Rules.

Also, a resolution (H. Res. 443) relating to an amendment to H. R. 17202—to the Committee on Rules.

By Mr. EDWARDS: A joint resolution of the legislature of Montana, relative to an agreement with the Indians of the Crow Reservation—to the Committee on Indian Affairs.

By the SPEAKER: A concurrent resolution of the Commonwealth of Massachusetts, relative to Castle Island—to the Committee on Naval Affairs.

By Mr. MARSHALL: A resolution of the legislature of North Dakota, relative to the shipment of live stock—to the Committee on Interstate and Foreign Commerce.

#### PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BARTLETT: A bill (H. R. 17359) granting a pension to Carrie Edwards—to the Committee on Invalid Pensions.

By Mr. BILLMEYER: A bill (H. R. 17360) granting a pension to Carrie Keefer—to the Committee on Pensions.

By Mr. BLACKBURN: A bill (H. R. 17361) granting a pension to Patrick E. Dancy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17362) granting a pension to L. L. Coffey—to the Committee on Invalid Pensions.

By Mr. BOREING: A bill (H. R. 17363) granting a pension to Joel Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17364) granting an increase of pension to Larkin Hubbard—to the Committee on Invalid Pensions.

By Mr. CONNER: A bill (H. R. 17365) granting a pension to Edwin Babcock—to the Committee on Invalid Pensions.

By Mr. GRIFFITH: A bill (H. R. 17366) granting an increase of pension to Dr. Fleetwood H. Sale—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17367) granting an increase of pension to Andrew Melton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17368) granting a pension to Dr. James H. Sale—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17369) granting a pension to Sarah F. Dittlinger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17370) granting a pension to Wilkerson E. Grubbs—to the Committee on Invalid Pensions.

By Mr. MICKLEY: A bill (H. R. 17371) granting a pension to John A. Bussert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17372) granting an increase of pension to Lewis R. Collins—to the Committee on Invalid Pensions.

By Mr. PEARRE: A bill (H. R. 17373) for the relief of the heirs at law of Sarah M. Rittenhouse, deceased, and others—to the Committee on the District of Columbia.

By Mr. PUGSLEY: A bill (H. R. 17374) granting a pension to Sara A. Wardell—to the Committee on Pensions.

By Mr. ROBERTSON of Louisiana: A bill (H. R. 17375) for the relief of C. E. Booty—to the Committee on War Claims.

Also, a bill (H. R. 17376) for the relief of H. Pierce—to the Committee on War Claims.

By Mr. STEPHENS of Texas: A bill (H. R. 17377) for the relief of the estate of William H. Edrington, deceased—to the Committee on War Claims.

By Mr. UNDERWOOD (by request): A bill (H. R. 17378) for the relief of A. C. Barton—to the Committee on War Claims.

By Mr. SNOOK: A bill (H. R. 17379) granting an increase of pension to Wesley B. Brown—to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Resolutions of Will F. Stewart Post, No. 80, Grand Army of the Republic, of Uniontown, Pa., protesting against the erection of a statue of Gen. Robert E. Lee in the national grounds of the battle of Gettysburg—to the Committee on the Library.

By Mr. BUTLER of Pennsylvania: Petition of the chief burgess and councilmen of Clifton Heights Borough, Pennsylvania, favoring Senate bill 909, for the extension of the free-delivery service—to the Committee on the Post-Office and Post-Roads.

By Mr. CASSINGHAM: Papers to accompany House bill for the relief of Alexander D. Patton—to the Committee on Military Affairs.

By Mr. CALDERHEAD: Petition of Cigar Makers' Union No. 419, of Salina, Kans., favoring House bill 16457, relating to gifts in connection with the sale of tobacco and cigars—to the Committee on the Judiciary.

By Mr. GRAHAM: Resolution of Local Union No. 95, International Union of Steam Engineers, Pittsburg, Pa., urging the passage of House bill 3076, for an eight-hour law—to the Committee on Labor.

Also, resolution of Keystone Division, No. 293, Brotherhood of Locomotive Engineers, Allegheny, Pa., favoring Senate bill 3560, known as the Foraker safety-appliance bill—to the Committee on Interstate and Foreign Commerce.

By Mr. GREENE of Massachusetts: Resolutions of New England District Lodge No. 7, Boilermakers and Iron-ship Builders' Union, of Boston, Mass., in favor of the ship-subsidy bill—to the Committee on the Merchant Marine and Fisheries.

By Mr. GRIFFITH: Papers to accompany House bill granting a pension to Wilkerson E. Grubbs—to the Committee on Invalid Pensions.

By Mr. JACKSON of Maryland: Petition of citizens of Cambridge, Md., asking for the passage of Senate bill 909, for the extension of the free-delivery system—to the Committee on the Post-Office and Post-Roads.

By Mr. LACEY: Resolution of the Sioux City Humane Society, protesting against the passage of the bill amending the law in relation to the shipment of live stock—to the Committee on Interstate and Foreign Commerce.

By Mr. LITTAUER: Resolution of Thomas Dickson Division, No. 171, Order of Railway Conductors, Mechanicsville, N. Y., in favor of House bill 15990, known as the safety-appliance bill—to the Committee on Interstate and Foreign Commerce.

By Mr. MARTIN: Resolution of the Bonesteel Commercial Club, of Gregory County, S. Dak., for the opening of the reservation land in Gregory County for homestead settlement—to the Committee on the Public Lands.

By Mr. MOON: Petition of Amos L. Griffith, of Marion County, Tenn., for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. PAYNE: Petition of the Woman's Christian Temperance Union of Union Springs, N. Y., to prohibit liquor selling in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. REEDER: Petitions of Methodist Episcopal Church conferences of Smith Center and Kensington, Smith County, Kans., to prohibit liquor selling in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. RYAN: Resolutions of the Medical Association of Central New York, favoring the establishment of a laboratory for the study of the criminal, pauper, and defective classes—to the Committee on the Judiciary.

By Mr. SNOOK: Paper to accompany House bill granting an increase of pension to Wesley B. Brown—to the Committee on Invalid Pensions.

By Mr. SULZER: Resolution of the Medical Association of Central New York, favoring the establishment of a laboratory for the study of the criminal, pauper, and defective classes—to the Committee on the Judiciary.

By Mr. THOMAS of Iowa: Petition of citizens of Spirit Lake, Iowa, in favor of Senate bill 909, providing for the extension of the free mail delivery service—to the Committee on the Post-Office and Post-Roads.

By Mr. YOUNG: Petition of Ellicott Fisher, of Philadelphia, Pa., favoring the establishment of a department of commerce and industries—to the Committee on Interstate and Foreign Commerce.

#### SENATE.

WEDNESDAY, February 11, 1903.

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington. The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. QUAY, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved.

#### TRANSCRIPTS OF LAND RECORDS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting a draft of a proposed bill to authorize registers and receivers of local land offices to furnish transcripts of their records to individuals, etc., and recommending that it be enacted into a law; which, with the accompanying paper, was referred to the Committee on Public Lands, and ordered to be printed.

#### INTERNATIONAL PRISON SYSTEMS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of State, transmitting a letter from Mr. S. J. Barrows, commissioner for the United States on the International Prison Commission, forwarding a report prepared by Charles Richmond Henderson, D. D., professor of sociology in the University of Chicago, relating to the organization and regulation of modern prison systems of various countries of Europe and America; which, with the accompanying papers, was ordered to lie on the table, and be printed.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills:

A bill (S. 7226) to authorize the Pittsburg, Carnegie and Western Railroad Company to construct, maintain, and operate a bridge across the Allegheny River; and

A bill (S. 7159) authorizing the Memphis, Helena and Louisiana Railway Company to construct and maintain a bridge across St. Francis River, in the State of Arkansas.

The message also announced that the House had agreed to the amendments of the Senate to the following bills:

A bill (H. R. 6332) granting a pension to Michael Conlon;

A bill (H. R. 7642) providing for the holding of terms of the circuit and district courts of the United States at Kansas City, Kans., and for other purposes;

A bill (H. R. 14845) granting a pension to Margaret Snyder;

A bill (H. R. 15400) granting an increase of pension to Enos Turner; and

A bill (H. R. 15757) granting a pension to Frances C. Broggan.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 16161) granting an increase of pension to Francis A. Treadwell, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. LOUDENSLAGER, Mr. BROMWELL, and Mr. RICHARDSON of Alabama managers at the conference on the part of the House.

#### ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (S. 3287) to fix the salaries of certain judges of the United States;

A bill (H. R. 714) granting an increase of pension to Frederick Hart;

A bill (H. R. 1377) granting an increase of pension to Bridget Agnes Tridel;

A bill (H. R. 1482) granting an increase of pension to John A. Smith;

A bill (H. R. 1689) granting an increase of pension to Hiram S. Thompson;

A bill (H. R. 1929) granting an increase of pension to Peter Tuper;

A bill (H. R. 2473) granting an increase of pension to James Billingsley;

A bill (H. R. 3516) granting an increase of pension to Ozra F. Cheney;

A bill (H. R. 3569) granting an increase of pension to Joseph A. Buckholz;

A bill (H. R. 4059) granting an increase of pension to Julia A. Cook;

A bill (H. R. 4807) granting an increase of pension to Thomas Parfitt;

A bill (H. R. 5167) granting an increase of pension to John J. Nowman;